

DA 750.A2 N0 9 V2



a31188000452462b

CALL No.

08175

DA
750
A2
no.9
v.2

Haddington, T.H.

State papers and
miscellaneous correspondence
of Thomas.

THE LIBRARY



UNIVERSITY OF GUELPH

Date due

83 09 08			
83 07 06			
83 08 15			
83 08 30			
84 01 09			
84 01 04			
84 05 07			
84 04 25			
84 09 06			
-			
84 04 26			
92 01 08			
91 09 10			
97 01 08			
96 10 21			

KING PRESS NO. 303



THE MELROS PAPERS.

STATE PAPERS,

AND

MISCELLANEOUS CORRESPONDENCE

OF

THOMAS, EARL OF MELROS.

VOLUME SECOND.

PRINTED AT EDINBURGH:

M.DCCC.XXXVII.

EDINBURGH PRINTING COMPANY.

THE LIBRARY
UNIVERSITY OF GUELPH

CCIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maiestie wes pleased, at youre first going frome hence into England, of youre speciall grace and fauour, to bestow the place of one of youre maiesteis feriantis at armes in ordinarye, with the fee of ijs. vjd. per diem, to youre maiesteis seruitour, Alexander Douglas, one of the ordinair maifariss of youre maiesteis Preue Counsaill and Sessioun in this kingdome; and althoght the vsuall number of feriantis at armes in England wes bot xvi, whiche number wes then full, yitt youre maiestie at that tyme did rewarde findrie otheris of youre maiesteis antient seruandis in that kynd, by adding bothe to the number and fees of placeis, whiche remaned and continewit so till the placeis become voyde, and then were reduceit to the satled number. And becaus the necessitie of the said Alexander his attendance vpoun youre maiesteis seruice heir, vrged him to mak his addresse and returne home, he enterit in conditioun with one Richard Hall, Englishman, for a surrender of the said place in his fauour, and he fauld the same vnto him, and procured youre maiesteis gracious fauour, for admitting of the said Maister Hall in his place, and he accordinglie wes creat ane seriant at armes; bot for omiffioun of some circomestanceis in pointis of formalitie, concerning youre maiesteis grant maid to Maister Hall, and the surrender whairupoun the same proceidit, thair appeareth a manifest defect in the said grant, whiche may breid some questioun aganis him. And Maister Douglas finding him bund in conscience to rectifie the said defect, and to do quhat in him lyes, to mak the place goode to Maister Hall, seeing he reffaued some confideratioun for the same, he is thairfoir a humble suteair vnto ws, that we wald intreate youre sacred maiestie to declair youre royall pleafour in fauouris of Maister Hall, for his quiet enioying of the said place, with the fee of ijs. vjd. per diem, as hitherto it hes beene, and for avoyding of

forder contentioun, that youre maiestie wald be pleased to signifie youre pleasour to the Lord Chamberlane for the tyme being, that vpoun the nixt avoyding of ony of the xvj feriantis, that the said Maister Hall may be admittit, conforme to his patent, and enioy all fees and dewyteis incident to that place. And so crauing youre maiesteis pardoun for this oure presumptioun, humblie praying God to blisse youre maiestie with a lang and happie reignn, we rest

Your Maiesteis most humble and obedyent
subiectis and feruitouris,

AL. CANCELL^s.
WINTOUN.
ROXBURGHE.
LOTHIANE.
MELROS.

Edinburgh, 27 October 1619.

To the King his most sacred and excellent
Maiestie.

CCIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING keepit a grite number of dyetis with the marcheantis and skipparis, anent that mater of the restreante of fraughting of strange gearis shippis, fa oft recommendit be your maiestie vnto ws, and haueing at verie grite lenthe, and with goode aduise and deliberatioun, hard and discuffit the haill reffonis and obiectionis, with the anfueris, replyis, and duplyis

gevin in and proponnit be worde and write thairanent, in end, after lang debait and conteftatioun on ather fyde, we broght thame to this point, that with mutuall consent the refstreante for all tradis, except the easterlyne trade, wes aggreit vpoun, and nyne perfonis wer nominat and fworne for ather fyde to fett down the fraughtis; towitt, fax marcheantis and three marcheant awnaris, for the marcheantis, and fax skipparis and three marcheant awnaris for the skipparis: whilkis perfonis, in diuers meetingis had be thame for that effect, did verie weele aggree vpoun the fraughtis, and fett the fame down to the full contentment and lykeing of all partyis. Bot, anent the easterlyne trade, we fand so mony difficulteis thairin, and fa mony cleir and fenfible grevanceis to follow thairupoun, as we could not without the euident hurte of the haill cuntrey yeild thairunto; ffor this easterlyne trade confistis altogidder of fuche neceffair wairis as the cuntrey can not want, especiallye of tymmer, pik and tar, quhilkis being neirby nyne of ten pairtis of that haill trade, thay ar not able to beare fuche fraughtis as oure cuntrey fhippis may ferue for; nather haif we fhippis meete and commodious for that trade; but thefe wairis being importit be ftrangearis at easie and reaounable fraughtis, thay ar accordingle fauld at moderat pryceis to youre maieftis fubiectis, whereas yf the refstreant were allowit, not onlie wald the pryceis of thir neceffair wairis be extraordinarie highted, bot the cuntrey, through laik of cuntrey fhipping commodious for that trade, wald be in dangeir to be fpoyled of the faidis wairis. And this being the trew refpect and caus diverting ws frome the refstreante in that pairt, we pronunceit and intimat the fame to the pairtyis, bot so far wer the skipparis frome acquiefceing thairunto, and frome imbraceing the refstreante for the fouth and weft tradis, as they pait frome all that wes done in this buffynes, defiring, according to thair formair proteftationis ever maid in the haill progres of this proces, that thay might be reponnit in thair awne placeis, and that no refstreante fould be maid at all, vnles the easterlyne trade wer comprehendit. This being the effect of oure procedingis in this buffynes, we humelie present the fame to youre maieftis confideratioun, befeeiking youre maieftie not to tak in evill pairt, that this refstreante for the easterlyne trade wes not concludit, fince the fenfible and feene hurte of the cuntrey wes the occafoun

thairof. And so, with oure humble and eirnist prayers vnto God for youre maiesteis lang and happie reignn, we rest

Youre Maiesteis most humble and obedient
subiectis and feruitouris,

AL. CANCELLS.
GEORGE HAY.
A. MAR.
LAUDERDAILL.
MELROS.

JA. GLASGOW.
CARNEGIE.
R. COKBURNE.
KILSAYTH.
W. OLIPHANT.

Edinburgh, the fourte of Nouember
1619.

To the King his most sacred and excellent
Maiestie.

CCV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERANE,

HAVEING, according to youre maiesteis directioun, caufit charge the prouest, baillies, deane of gild, thefaurair, and some of the counsell of Edinburgh, to prouide thame selfis with rid scarlatt gownis, betuix and the xxiiij day of December instant, thay thairupoun become petitionaris vnto ws, that we wald impairt vnto your maiestie the difficulteis and reffonis gevin in be thame quhairfoir thay can not goodlie be burdynnit with the faidis gownis; To witt, that quhairas by the constant custome of the said burgh, inviolablie obseruit in all tyme bigane, the weareing of blak gownis as a most decent, grave, and comelie habite, befeameing magistratis of burrowis, hes onlie bene in vse within the said burgh, and quhairwith the

fame hes alwayes bene verie fufficientlie and weele furnift, yitt at the tyme of your maieftis late comeing to this kingdome, the haill magistratis and counsell of the faid burgh for the tyme, with a grite number of the honneft nightbouris of the fame, who of befoir were weele aneugh prouidit with goode and handfome gownis, wer inioyned to prouide thame felffis of new with more ritche blak gownis, lynnit with blak veluott or coiftlie furringis, for youre maieftis receptioun within the faid burgh. Quhilk being accordinglie done be thame, for the credite and reputatioun of the faid burgh, to thair grite chargeis and expenffis, youre maieftie wes gratioufflie pleafit at that tyme to allow thairof, and the noblemen and otheris of England that attendit youre maieftie, and beheld the ordour obseruit within the faid burgh, did acknowlege the fame to be bothe ritche, grave, and comelie. And now, yf a neceffitie of rid gownis falbe vrged vpoun thame, and consequentlie vpoun thair fucceffouris, thair wilbe few or nane had to accept ony charge or office within the faid burgh heir-efter, be reffoun that not onlie will thay be withdrawne frome thair awne calling, and tyne thair tyme and handling for that yeir, bot this new burdyne of rid gownis, quhilk wilbe verie chargeable and expenfiue vnto thame, will ly vpoun thame. And quhairas the custome of England may be obiectit to thame, thay anfuer, that thair conditioun in this caife is not alyke, ffor thefe of England, ferueing in the lyke placeis, hes goode allowance and fees able to raimburs thair haill chargeis, and the office of Alderman thair is *ad vitam*, whereas the magistratis and counsell of the burrows of this kingdome ar changeable yeirlie, and thay ar not capable of thair placeis the yeir following, and thay ferve freelie without fee or allowance. And towcheing that point inioyned to the proueft to weare a grite chayne of gold in tyme of Parliamentis or otheris folempniteis, thay anfuer, that the proueft of Edinburgh hes no place in the Parliament Houfe, and is never imployed as a commiffionar thair; and, yf he haif occafioun to kyithe at thefe tymes, it is vpoun the freit in armes, accompanied with the nightbouris of the toun for gairding of the Parliament; at whiche tyme a gold chayne is nather feamelie nor fitting. Thir being the reffonis gevin in be thame to ws, we humelie prefent the fame to youre maieftis confideratioun, affureir g youre maieftie, that the

magistratis and hail counsell of the said burgh do euerye Sondag, and otheris dayis of solempnitie, weare thair blak gownis in decent and comelie forme and ordour: and we wilbe humble interceffouris vnto youre maiestie in thair fauours, that in regaird of the mony grite burdynis lyand vpoun the said burgh, and the grite chargeis thay haif bene at thir diuers yeiris bigane, bothe in thair priuat and publiet adois, that youre maiestie wald be pleasit to dispens with thame anent thair rid gownis, conditionallie, that thay weare thair blak gownis in maner, and at the tymes preferyued in your maiesteis directionis formarlie gevin heiranent. And so craueing youre maiesteis pardoun for this our presumptioun, and humelie praying God to blisse youre maiestie with a lang and happie reigne, we rest

Youre Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.
MELROS.
KILSAYTH.
A. MAR.

LAUDERDAILL.
J. ERSKYNE.
GEORGE HAY.

Edinburgh, 14 December 1619.

To the King his most sacred and excellent
Maiestie.

CCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE baillies of Edinburgh being at lenth hard be ws in that mater whiche your maiestie recommendit vnto ws, on the behalff of youre maiesteis seruitour, Williame Todrig, towcheing the surveying and trye-

ing of the fufficiencie of the rid hering maid and tranſportit furthe of this kingdome, and his agent, whome he nominat to attend this buſſynes, being lykewayes preſent and hard, and diuers obiectionis being maid be the ſaidis baillies aganis the expediting of the ſaid Williame his patent, and anſueris being maid thairunto be his ſaid agent : at laſt the ſaidis baillies come to ane peremptour and materiall pointe whilk we could not gett paſt by, to witt, thay alledgeit and produceit ane patent maid, and gevin be youre maieſtie vnder youre grite ſeale, to the proueft and baillies of the ſaid burgh and thair ſucceſſors, by the whilk, youre maieſtie hes grantit vnto thame the office, libertie, and preuilege of viſeing, gaidgeing, ſealing, or ſtamping of the haill barrellis of hering and quhyte fiſhe within this kingdome. And this patent being red in oure audience, and conferit with the patent craved be the ſaid Williame, we fand thame bothe to agree togidder in that pointe anente the ſurveying or trying of the fufficiencie of the hering, and ſwa in effect and ſubſtance to contene all that is craued be the ſaid Williame: And ſeeing the ſaid patent ſtandis in force, vnquarrellit or brought in queſtioun, we could not gif way to the ſaid Williame his patent, nor expedde twa patentis vpoun ane ſubiect, vnles we walde ingage the ſaid Williame in ane neidles proces with the ſaid burgh anent the validitie of his patent, whairin, to oure opinionis, be courſe of law he wald not prevaill. And this being all that we could do in the buſſynes, we humelie preſent the ſame to youre maieſteis conſideratioun, with oure earneſt prayeris vnto God for youre maieſteis lang, happie, and bliſſed reigne. Frome Edinburgh, the xvj day of December 1619.

Your Maieſteis moſt humble and obedyent
ſubiectis and ſeruitouris,

AL. CANCELL^s.

WINTOUN.

LAUDERDAILL.

MELROS.

ROXBURGHE.

To the King his moſt ſacred and
excellent Maieſtie.

CCVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to the commiffioun and warrand of the laite parliament, and youre maiesties command and directioun following thairupoun, we haif had diuers meetingis and conferenceis vpoun that subiect recommendit vnto ws, anent the reformeing of the abuse of tanning of ledder within this kingdome; and we callit befor ws some of the principall tannaris of the cheif burrowis, and certane cordinaris of goode credite, knowledge, and experience in that trade, be quhome we ar trewlie and sufficientlie informed, that the said abuse proceidis frome the ignorance and vnskillfulnes of the tannaris thamefelffis, and that thair is a necessitie of inbringing of strangearis for instructing of thame in the right forme of tanning. Quhairupoun, after mature aduise and lang deliberatioun, we haif layed down some groundis, how and be quhome, thir strangearis falbe broght in and intertenyed during the prefixt tyme of thair aboade heir, quhat conditionis thay falbe subiect and tyed vnto, and quhat course falbe prescryued vnto thame, towcheing thair behauour and cariage; lyke as we haif maid some prouisionis and cautionis, for the dewtifull cariage of these, quhome your maiestie falbe pleased to truste with the seale, with the particularis quhairof, being loathe to impeshe youre maiesties more important and princelie affairis, we ar onlie to acquaint youre maiestie with this one pointe, that the burdyne and charge of the inbringing and interteynying of thir strangearis, and of all otheris the debursementis to be maid in this seruice, must be layed vpoun him quho falbe trusted with the seale: and becaus the seruice wilbe chargeable vnto him, and that in mony yeiris the commoditie arryiseing be the seale will not be anfuerable to his debursementis, and we haueing confideratioun that this intendit reformatioun will proue verie profitable not onlie to the tannaris, bot to the haill kingdome, we haif thairfoir sett the price of iiij s Scottis vpoun euerie hyde that falbe sealled during the terme of xxj yeiris; at the ex-

pyreing of the whilk terme, becaus the seruice will then become facile and easie, without ony forder necessitie of advancement, we haif appointit the price of the seale to be onlie xij ð Scottis thairefter; quhairupoun, according to youre maiesteis directioun, we haif drawne vp, and heirwith fend vnto youre maiestie, ane signatour, to indure for the space of xxxj yeiris, to the effect youre maiestie, after confideratioun thairof, may tak suche forder course thairin, as youre maiestie in youre incomparable wifdome shall hald fittest. And so, humelie praying youre maiestie to tak in goode part, oure simple trauellis and indeuoirs in this buffynes, and frome oure hairtis, praying God to blisse youre maiestie with the continewance of mony lang and happie yeiris, we rest for ever

Your Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.
A. MAR.
SANCTANDREWS.
WINTOUN.
WIGTOUNE.
MELROS.
LOTHIANE.

JA. GLASGOW.
W. OLIPHANT.
CRANSTOUNE.
CARNEGIE.
AL. ELPHINSTON.
GEORGE HAY.

Edinburgh, the first of Februar 1620.

To the King his most sacred and
excellent Maiestie.

CCVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE ressaute youre maiesteis letter concerning the Maxuellis of Gararie, by the quhilk, it is youre maiesteis pleasour, that we fould vse all possible and exact meanis for tryeing of the treuthe of that murthour

layed to thair charge, and that thairefter we fould do thairin as we wilbe anfuerable to God and youre maiestie. Vpoun the reffett and confideratioun of the whilk letter, we enterit in deliberatioun, how fer by law we might proceed in a mater of this kynd, and, after lang reafouning and conference had thairupoun, we find that in criminall perfuitis, quhair the pannell is clengeit, the perfewair finding iust caus of greiff aganis the proceedingis and verdite of the affise, hes verie competent actioun of a fecund tryall and proces of error aganis the affise; bot quhair the pannell is convict, and sentence accordingle pronunceit, no fecund tryall nor proces can be admittit, and the iudgement can never thairefter be broght in questioun; ffor, in that caise, the fouerane courte of the Criminall Iustice, and the procedouris thair of, vpoun euerie intervening occasioun, may be quarrellit, and mony imputationis wald thairupoun follow, to the disgrace of that iudgement, whilk is one amangs the first in dignitie within this kingdome. Alwayes for youre maiesteis informatioun of the trew estate of this buffynes, so far as we haif learned be the progres of the proces, we haif heirby thocht meete to present vnto youre maiestie ane breif relatioun of the same as thay fell oute, to witt, Gararie, vpoun the first brute and rumour of that murthour, being committit to warde as suspect guiltie of the same, and being diuers tymes broght to his examinatioun, and diuers witneffis at findrie dyetis being produceit aganis him, and he and his sone being confrontit vpoun certane interrogatouris, circumstanceis, and presumptionis gevin in aganis thame, for drawing of thame vnder the guylte of that murthour, thay ever abaid constant be thair denyall; and althocht the saidis presumptionis feamed to furneis some litle mater of suspitioun, yett thay wer not so pregnant as the gravite and importance of such a mater requirit, whilk maid ws to inclyne to a continewatioun of the last dyet appointit for thair tryall, till God, and tyme the moder of trewthe, fould produce a more cleir discouerie of the same. Bot he and his sone, relying vpoun thair innocencie, and being weyreit with thair lang imprifonment, and grite foumes quhairupoun thay had found cautioun to be anfuerable to thair triall, and with the foull and haviie imputatioun and scandall of that murthour, whilk they vnderly; and the young man haueing come heir frome courte poist, with verie grite diligence, for keeping of the said last dyet; thay vrged thair tryall

with fuche vehemencie and instance, and with fuche importunitie and passiou, as we could not, with reffoun, refuse nor deny the same vnto thame; quhairupoun thay being broght to thair tryall, and an affise being reffaut and sworne, thay wer fundin guiltie be the affise, and sentence condampnitour pronuncid aganis thame, thay in the meantyme protest- ing, with mony grite aithis, thair innocencye; and thay continewit con- stant with these protestationis, notwithstanding the trauellis tane be the ministeris to haif drawne them to a confessioun, till thay wer broght to the scaffolde, at the foure cornaris quhairof, and at thair last prayer, vpoun thair knees, vnder the aix, thay ratifeit all thair formair protesta- tionis, ever inuocating the blessed Trinitie to be thair iudge in that caise, whilk maid fuche ane impressioun in the hairtis and opinionis of the beholdaris, that thay all inclynnit rather to think thame innocent nor guiltie. And the pairtie persewair, vpoun notice of this thair constant denyall, at the last pointe of deathe, consentit to a continewatioun of thair executioun, and in effect ar agreit with thame, and will mak no oppositioun to ony fauour or mercye that youre maiestie wilbe gratiousslie pleasit to shoue vnto thame. Whilk remitting to youre maiesteis most excellent iudgement, seeing the mater now restis vpoun youre maiesteis determinatioun, and frome our hairtis praying God to blisse youre maiestie with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.

MELROS.

W. OLIPHANT.

AL. ELPHINSTON.

SANCTANDREWS

LAUDERDAILL.

R. COKBURNE.

CARNEGIE.

GEORGE HAY.

Edinburgh, the thrid of Februar 1620.

To the King his most sacred and
excellent Maiestie.

CCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

FOR satisfiactioun of youre maieftieis command and directioun in that mater, recommendit be youre maieftie to ws, towcheing the tryall of the circomeftanceis of the slaughter of vmquhyll Walter Scott, sone to Walter Scott of Harden, committit be Symon Scott of Bonnytoun, and yf the offeris alledgeit, maid on the behalff of the faid Symon, and produceit vnto youre maieftie, wer in deid maid or nott: we conuenit befoir ws the faid Walter Scott of Harden, and his eldest sone, with the wyffe of the faid Symon, and Johnne Tuedie, who attendis his affairis and busynes now in his absence; and we alsua write for the reliet of the faid vmquhile Walter, whose absence, vpoun some confiderationis, wes excuifit; and haueing, at lenthe, hard thame, alsweill anent the forme and maner of the slaughter, as anent the making of the faid offeris, we fand litle contrarietie concerning the offeris, bot the forme and maner of the slaughter wes contravertit, quhairupoun we assignit vnto thame bothe the xxij of this instant, for proueing of the circomeftanceis of the faid slaughter. At quhilk day a number witneffis being produceit be thame, and thair obiectionis *hinc inde* aganis the witneffis being hard and discuft, and accordinglie some of thame repellit and fett, in end a number of witnefs wer admittit and fworne, and verie exactlie examinat in prefence of the whole counsell; quhose depositionis we haif heirwith fend vnto youre maieftie, to the effect youre maieftie, after confideratioun thair of, may, in the excellencie of youre awne iudgement, gif fuche forder ourdour and directioun thairanent, as your maieftie shall think goode. And so,

continewing oure humble and eirnist prayeris vnto God for youre maief-
ties lang and happie reiggn, we rest

Your Maieftis most humble and obedient
subiectis and feruitouris,

AL. CANCELLS.
MELROS.
R. COKBURNE.

A. MAR.
LAUDERDAILL.
GEORGE HAY.

Haliruidhous, 24 February 1620.

To the King his most sacred and
excellent Maieftie.

CUX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaut youre maieftis lettre concerning the Maxwelllis of Gara-
rie, by the quhilk, youre maieftie hes most cleirly and iuditiously explaned
your self anent that pairt of the directioun of youre maieftis first lettre send
vnto ws, quhairby we wer commandit to vse all possible meanes and tryall, to
find oute the treuthe of that murthour layed to thair charge. In quhilk
point, as we omittit no panes, trauellis, nor diligence, that oure awne
iudgement, or the informatioun of the pairtie could direct ws, so by oure
last lettre we acquaintit youre maieftie particularlie thairwith. And
quhairas, now it is youre maieftis pleasour, that the aggrement betuix
the pairtyis shall go forword, that so, with all menis goode lykeing, thir
Maxuellis may be releafed, it will please youre maieftie to knowe that the
aggrement is alreddy maid, bot the finall accomplisheing thair of, de-
pendis vpoun youre maieftis fauour to be showne to the saidis Maxuellis,
becaus the aggrement is conditionall in that point; quhilk being

grantit, we fall tak fuche ordour, as that mater falbe fullie and finallie fatled, and the pairtie releafed, with all menis contentment. And fo, with oure humble and eirnist prayers vnto God for your maiefteis lang and happie reigenn, we reft

Youre Maiefteis moft humble and obedient
fubieētis and feruitouris,

AL. CANCELL^s.
MELROS.
A. MAR.
GEORGE HAY.
WINTOUN.

Haliruidhous, 24 February 1620.

To the King his moft facred and
excellent Maieftie, etc.

CCXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maiefteis directioun, we haif maid and caufit publishe, ane new proclamatioun for reftreaneing the tranfporte of paffingeris to that kingdome, who hes no laughfull earand thair, bot to importune and fashe youre maieftie with thair fuitis and begging, to the difcredite and scandall of this natioun. And we fhall haif a cair that the fkipparis offending in this cafe, falbe puneift accordinglie. Bot quhairas, it is your maiefteis pleafoure, that fome ordour falbe eftablished for reftreaneing of fuche, as, being hinderit to come be fea, may come in be the middlefhyres, that is a point very difficle, and hardlie can ony

courfe or ordour be eftablifhed thairanent ; ffor, as youre maieftie knowis, the boundis of the middlefhyris, compting frome Beruick to Carlile, ar very fpacious and wyde, and it is not poffible that attendance can be gevin at all the pairtis and placeis within thefe boundis, quhair commoditie of paffage may be had. Alwayes, we haif tane this courfe, as the beft expedient, in oure opinionis, to releuee and freethe youre maieftie frome the importunitie and fafherie of thir idle and impertinent fuitaris and beggaris; to witt, by the proclamatioun foirfaid, we haif ftraitlie forbidden all perfonis, whose pretext of comeing to youre maiefteis courte is for fuitis or begging, on nawayes to repair thairto, be fea nor land, without a teftimonie frome youre maiefteis counsaill of the laughfulnes of thair earand, vnder the pane to be fent bak with difcredite, and to be pvneift, according as youre maieftie fhall fend down informatioun of thair misbehauour and cariage. And yf youre maieftie falbe pleafit to allow of this courfe, and accordinglie caus fome twa or three of thir importune fuitaris to be fend home, with youre maiefteis aduife how thay falbe pvneift, we ar of opinioun, that the pvnifhement of thame falbe a terrour to all otheris to offend in the lyke caife heirefter; quhilk remitting to youre maiefteis more iuditious confideratioun, and humelie praying God to bliffe youre maieftie with a lang and happie reigne, we reft

Youre Maiefteis moft humble and obedient
fubie&ctis and feruitouris,

AL. CANCELLS.
MELROS.
A. MAR.
ROXBURGHE.
BUKCLEUGHE.

Edinburghe, 8 Junij 1620.

To the King his moft facred and
excellent Maieftie.

CCXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By youre maiesteis lettre, writtin to the Erll of Melros, youre maiesteis secretarie, we persaue that youre maiestie hes tane some offens vpoun occasioun of ane informatioun send vp to youre maiestie, That quhen youre maiesteis commandment of confyneing of certane disobedient personis of Edinburgh wes exhibite in counsell, some questionis and doubtis wer proponned, how far youre maiesteis commandmentis in the lyke caises might extend, quhilk your maiestie hes interprete to be a direct calling of youre royall authoritie in question. We ar forie that in a mater of this kind, towcheing youre maiestie onywayes in youre royall prerogatiue and authoritie, that fuche sinister informationis fould haif bene maid of ws; ffor, as we ar all free of that mater, and never harbourit any fuche notioun in oure hairtis as to chope at the meanest point of youre maiesteis authoritie; fo, quhen youre maiesties commandment and lettre for confyneing of thir men wes exhibite and red in counsell, thair wes never fo mutche as ane word spokin, quhilk, in direct or couloured sence, might haif impugned the same; bot the haill nomber that wes present, of whome few ar this day absent, acquiesceit thairunto, without proponing of ony questioun or doubt aganis the same, or speakeing of ony ane worde quilk, in sence or consequence, might haif bene interprete to the preiudice of youre fouerane authoritie. All the questioun that wes in handis, wes onlie anent the tymes of the entrie of thir personis in warde, quhilk necessarlie required some consideratioun, in respect of the pouirtie of some of thame, the aige and infirmitie of otheris, and the far distance of thair warding placeis, whilk moued the counsaill to grant vnto thame a reasonable tyme to enter, for the better inhabilling of thame to mak thair prouisioun and furnishing. This being the simple treuthe of all that wes done or spoken in that buffynes, we humblie present the same to youre maiesteis fauourable consideratioun, requeisting youre maiestie, not to gif haistie credite to informationis of this kynd, quhairby youre maiesteis

faithfull seruandis and counsellouris may be wronged, and the finceritie of thair behaiour and cariage in youre maiesteis seruice randerit suspi-
tious; bot in this, as in all otheris thingis, submitting oure selffis to youre
maiesteis most excellent iudgement, and frome oure hairtis praying God
to blisse youre maiestie with the continewance of mony lang and happie
yeiris, we rest

Your Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.

MELROS.

G. MURRAY.

J. ERSKYNE.

A. MAR.

SCONE.

ROXBURGHE.

W. OLIPHANT.

Halyruidhous, xv Junij 1620.

To the King his most sacred and
excellent Maiestie.

CCXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes ane petitioun exhibite this day to youre maiesties
counsell, in name of the noblemen, baronis, and gentilmen of this king-
dome; and it wes bakit with the presence of a nomber of the baronis of
Lothiane, who constantlie affirmed that thay had warrand to that effect,
from diuers of the noblemen, baronis, and gentlemen that wer in the
burgh of Edinburgh at this last Witfoun terme, complening and havilie
regraiting the sensible harme, that not onlie thay, bot the hail subiectis
of this kingdome, sustenit through the penurie and scairftie of moneyis
within the same, quhairby thay thame selffis wer dishabilled frome keping
of thair credite, and thair poore tennentis and labouraris of the ground
wer liklie, in short tyme, to leave thair rowmes, and to cast and lay the

fame waift. And thairfoir, thair humble petitioun vnto ws wes, that a toleratioun might be gevin to some certane spaceis of foreyne coyne to haif courfe heir at competent pryceis, vnder your maieftis awne coyne, for a certane space, to the intent that thairby moneyis might be broght within the cuntrey, and your maieftis fubiectis of all rankis maid the more able to defray thair debtis, and difcharge thair otheris adois accordinglie. Thair petitioun being at lenthe hard and confidderit, and the generall complaynte and regrait of the fubiectis through the fcairftie of moneyis being verie weeke knowne, yitt we wald not prefoome to medle in that mater, according to the proiect proponned, without youre maieftis confent and allowance, bot hes remittit the fame to youre maieftis moft iuditious and graue confideratioun, and quhateuer youre maieftie falbe pleafit to command thairin, outhir by allowing or difproueing of the faid proiect, falbe accordinglie followit. And yf it falbe youre maieftis pleafour to allow thair of, vpoun fignificatioun of youre maieftis will thairanent, a fpeciall regaird and cair falbe had, that bothe anent the particulair spaceis quhilkis falbe tollerat to haif courfe, and anent the pryceis of the fame, fuche a moderat ordour falbe tane, as the importance and neceffitie of the mater and the weeke of the cuntrey requiris. And fo, praying the Almighty God to bliffe youre maieftie with mony lang and happie yeiris, we reft

Youre Maieftis moft humble and obedient
fubiectis and feruitouris,

AL. CANCELLS.
PA. ABERDENE.
LAUDERDAILL.
WINTOUN.
J. ERSKYNE.

WIGTOUNE.
BUKCLEUGHE.
PA. B. OF ROSS.
MELROS.

Haliruidhous, 29 Junij 1620.

To the King his moft facred and
excellent Maieftie.

CCXIV.—THE EARLS OF DUNFERMLINE AND MELROS TO KING JAMES VI.

MOST GRATIOUS SOUERANE,

ACCORDING to youre maiesteis directioun, we fend for the Erll Abircorne, and the Countesse his moder, and trauellit verie eirnistlie with thame in that mater recommendit be youre maiestie to ws, anent the submissioun vrged be youre maiestie of the materis questionable betuix thame and Sir George Hamiltoun. The Countesse excusit hir selff, as haueing no mater of questioun or contestatioun with the said Sir George, and sho refused to tak ony burdyne for hir sone, in respect of his minoritie, and the Erll him selff declairit that he had conferrit with his curatouris anent this submissioun, who aduisit him not to enter in ony generall submissioun with the said Sir George, vnles he wer particulair in his clayme quhat he had to crave; and becaus Sir George refused to be particulair in that pointe, his curatouris wald not ioine with him in that submissioun. And so finding ane vnwillingnes in thame to submitt, and that thay eshewed and fled the same, we haif left bothe pairtyis to the ordinarie course of the lawis, quhairin we fall haif a speciall cair and regaird that justice falbe accordingly ministred as youre maiestie hes directit. And so, with oure humble and eirnist prayers vnto God for youre maiesteis lang and happie reiggn, we rest

Yourre Maiesteis most humble and obedient
subiectis and feruitouris,

AL. CANCELLS.
MELROS.

Haliruidhous, the xij of July 1620.

To the King his most sacred and
excellent Maiestie.

CCXV.—CERTIFICATE IN FAVOUR OF SIR HENRY WARDLAW, HER LATE
MAJESTY'S CHAMBERLAIN.

WE, vnder subfcryveand, havene hard, examined, and tryit the comptis maid be Sir Henrie Wardlaw, chalmerlane for the tyme to the quenis most excellent maiestie, of bliffed and happie memorie, of the Lordschip of Dunfermling, Erldome of Rose, Lordschipis of Ardmenach and Ettrikforrest, of the termis of Witfonday and Mertimes, crope and zeir of God ane thoufand six hundrethe and aughtene zeiris, conforme to ane perticuler commiffioun direct be the kingis most sacreid maiestie to ws for that effect; we haue allowed, admitted, and subfcryuit the saidis comptis, and hes fundin the said Sir Henrie to haue maid just compt, reknene, and compleit payment of his intromiffioun of the frutis, rentis, and casualiteis of the said Lordschip of Dunfermling, Erldome of Rose, Lordschipis of Ardmenach and Ettrikforrest, of the termis and crope aboue specifiet; quhilkis we testifie be thir presentis, subfcryuit with our handis at Edinbrughe, the aughtene day of July 1620 zeiris.

AL. CANCELLS.
MELROS.
GEORGE HAY.
W. OLIPHANT.
G. MURRAY.

CCXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieſteis lettre, towcheing the fuite maid to youre maieſtie, on the behalff of the Lord Gordoun, for a tak of the rentis and caſualtyis of Orknay and Yetland, to be fett to him after the expiring of the Lord Vchiltrie his tak ; and by this letter, it was youre maieſteis pleaſoure, that we ſould not onlie heir the ſaid Lord Gordoun and his offers, and all otheris (yf ony be) who ar deſyrous to medle in that mater, bot that we ſould acquent youre maieſtie with thair feuerall offers, and with oure opinionis anent the expedience of the ſetting of the ſaidis rentis and caſualtyis in few. According to the direſtioun of the ſaid lettre, we haif hard the Lord Gordoun, and hes conferrit with him at lenthe vpoun that ſubieſt, who ſayis, that in the offer maid vnto youre maieſtie on his behalff, ther wes no other conditioun, bot that fame yeirlye dewtie payit be the Lord Vchiltrye for his tak, extending to fourtie thowſand merkis, quhairunto he will yitt ſtand, and he offeris ſufficient caution for affurance of the payment, of the quhilkis cautionaris he gaif in a roll of a number of reſponſall and anſurable baronis and gentlemen. We haif hard no other fuitaris as yitt, be reſſoun of the ſchortnes of the tyme, bot yf ony ſhall preſent thame ſelfis, thay ſhall reſſaue fauourable heareing, and youre maieſtie ſalbe acquentit with thair offers. And towcheing the other pointe of youre maieſteis lettre, anent the expedience of the ſetting of the ſaidis rentis and caſualtyis in few, that is a pointe of weyght and importance, craueing bothe tyme and laifer, and mature aduiſe and deliberatioun, for mony thingis will occur and be incident in that proieſt, quhilkis vpoun a fuddane can nouthir be foirfeene nor degeifted. Alwayes we haif gevin ordour for lookeing oute of the rentallis of Orknay, and Yetland, and, after examinatioun of the particularis thairrof, and dew conſideratioun of youre maieſteis intereſ, bothe anent the few and the tak,

we fall acquent youre maiestie quhat, in oure opinionis, we holde fittest to be done bothe for youre maiesteis proffeit and weele of the subiectis. We haif beene spairing to be too hastie or to precipitat this buffynes, becaus thair is tua yeiris of the said Lord Vchiltrie his tak as yitt to rinne, bot we fall vse such conuenient diligence thairin, as fall gif vnto youre maiestie satisfiactioun. And so, with oure humble and eirnist prayeris vnto God for youre maiesteis lang and happie reigne, we rest

Youre Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.
MELROS.
A. MAR.

W. OLIPHANT.
G. MURRAY.
GEORGE HAY.

Haliruidhous, 20 July 1620.

To the King his most sacred and excellent
Maiestie.

CCXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE caus quhairfoir we haif so lang deferred the returning of oure opinioun vnto your maiestie towcheing the signatour of the burgh of Edinburgh, anent the new worke intendit and begvn thair, for making of cloathis and stufis of diuers kindis within the said burgh and liberties thairof, proceedit frome the cair we had, according to youre maiesteis most iuditious and princelie directioun, not onlie to foirsee that no preiudice might thairby ensue to otheris, youre maiesteis subiectis, interprising

the lyke workis outwith the liberteis of the said burgh heirefter, bot with that to strenthen and assist the said burgh, with such laughfull warrandis and auctoritie, as might encourage them to sett fordwart the said worke; ffor quhilk purpois, we first appointit some of our awne number, and some baronis, gentilmen, and burgeffis of Lotheane and Fyffe, to conveene and meit with the commissiounaris of the said burgh, and to confidder and examine the said signatoure, and the whole headis, clauffis, and articlis of the same, and to confer and resfoun thairvpoun, and in suche pointis as thay could espy ony preiudice, outhir to youre maiestie or the estate, to acquent ws thairwith, and with thair opinionis anent the reformeing of the same. At whilk meeting, the said signatour being verie narroulie and exactlie examined, and some questionis and doubtis being proponned and moued thairanent, and presented to the confideratioun of the counsaill table, and the commissiounaris of the said burgh, being, at verie grite lenthe, and at diuers and findrie dyetis, hard thairvpoun; in end, after diuers conferenceis and meitingis with thame, we haif cleirlye discuffit all the obiectionis and doubtis proponned againis the said signatour, and, with mature aduise and deliberatioun, we haif causit draw vp ane new signatour, heirwith send vnto youre maiestie, markit on the bak be the clark of youre maiesties Counsaill, quhairin we haif maid suche prouisionis, limitationis, and restrictionis, for the weele of youre maiesties subiectis, as, in our opinioun, no claus nor article thairof can with resfoun be impugned. This is a verie worthie and notable worke, and in appeirance the best for the commounweele that for mony yeiris ago hes bene intendit within this kingdome. It hes coist the said burgh a grite deale of money, with suche a willing consent and contributioun of the honest inhabitants, as the lyke hes not bene hard of within the said burgh. Thair is a number of handsome and commodious houffis alreddy biggit for this worke, and some famileis of strangeairis els plantit and sett to worke thairin; and the worke is so substantioullie bakkit and haldin fordwart be the said burgh, that we ar in verie goode hoip that it fall not onlie prove honorable, bot proffitable for the whole cuntrey. And thairfoir, yf youre maiestie salbe pleised to allow of this signatour, and returne the same to ws vnder youre maiesties hand, we fall caus expeid and pas the same ac-

cordinglie. And so, praying God to blisse youre maiestie with mony lang
and happie yeiris, we rest

Your Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELLS.
MELROS.
WINTOUN.
LAUDERDAILL.

WIGTOUNE.
W. OLIPHANT.
G. MURRAY.

Edinburgh, 23 August 1620.

To the King his most sacred and excellent
Maiestie.

CXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene a verie pitiefull and havie complainte maid
vnto ws, on the behalff of George Foullis, maister of your maiesties mynte,
Johnne Sinclair, Johnne Trotter, and some otheris, mercheantis of Edin-
burgh, awnaris of the ship callit the Peragon of Leythe, and in name of
the reliēt and bairnis of vmquhile Robert Lewcope, skippair of the said
ship, and Williame Huntair, his mate, beareing, that the said ship being
fraughted be some marcheantis of Lundone to the Ilandis of Canaryis
for wyne; and the ship, by the fauour of God, haueing faulflie arryved
at hir porte, and tane in hir laidning of wyne, as sho wes returning bak
thairfra, and vpon hir dew course towardis the citie of Lundone, in the
moneth of Marche last, sho wes, by contrarious windis, drevin and putt
in the harborie of Realing, in the west of Irland, quhair, being lyand at

ane anker, awaiting the commoditie of the wynd and wedder, Myles Burke, fone to Sir Tibold Burke, Daud Burk M^cRichard, and Owen Afflutt, verie familiarlie, vnder collour of friendship, frequentid the ship the space of eyght dayis, and reffaued fuche kynd and hairtlie interteynment as the maister of the ship could mak thame, and thay become so familiair with maister and companie of the ship, and intertenyed fuche mutuall dewyteis of kyndnes with thame, that thay thocht thame selffis in a full securitie, without any apprehensioun of feare or dangeir, whilk being perfaved be thir lymmaris, and thay haueing narroulie remarkit the ordour and gouernament of the ship, quhairwith sho wes laidnit, and how sho wes prouidit for defence, and finding all thingis anfuerable to thair wisheis for prosequitioun of thair treatcherous and detestable resolutioun, thay, accompanied with Tibot Kellie, alias Duff, Richard Kilduff, Rorye Corme, Phillop and Myles Burke, come all furthe of the said Myles house, and boordit the ship, whereas the maister and his man wer buffie at thair worke; and at thair first entrie in the ship, thay treacherouflic and barbarouflic killed the said Robert Leucope, and William Hunter, his mate, and deadlie woundit the carpentair of the ship, and posselt thame selffis with the ship, and hir whole laidning, and enforced the seruice of the rest of the company of the ship for gouerning of the ship, the space of eyght oulkis, till thay come to Broadhavin, quhair, by the fauour and prouidence of God, thay eschaiped. This being the trewth of this mater, as we ar informed by the pairtyis greved, we ar moued, vpoun thair humble and eirnist requeist, to gif notice of the same vnto youre maiestie, and, on thair behalf, most humelie to intreate your maiestie to recommend the same to the lord deputie of Irland, with a strait directioun and charge vnto him, to grant summar and fauourable proces and iustice vnto thame, and thair actornayis and procuratouris, in thair names, alsweele aganis the lymmaris thame selffis, as aganis all otheris who hes bene accessorye to thair doingis, in fuche forme and maner as your maiestie hes written in fauouris of the saidis maircheantis of Lundone, sua, that yf ony redres or reparatioun may possiblie be had, that youre maiesteis distrest subiectis of this kingdome may be equalie

respectit and acknowledgeit thairin, and that no prioritie be vsed in the said redres, bot that a commoun and equall consideratioun be had thairin. And so, crauing your maiesteis pardoun for this our presumptioun, and praying God to blisse youre maiestie with the continewance of mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient,

AL. CANCELLS.
MELROS.
WINTOUN.
LAUDERDAILL.

WIGTOUNE.
W. OLIPHANT.
G. MURRAY.

Edinburgh, 23 August 1620.

To the King his most sacred and
excellent Maiestie.

CCXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued your maiesties lettre, with the articlis fett down and signed by youre maiestie, and aggreit vnto be the erll of Home and the Countesse his moder, on the one pairt, and Johnne Steuart, sone to the laite erll Bothuill, on the other pairt; and accordinglie we haif at diuers and fundrie dyetis, had the pairtyis and thair procuraturis befor ws, and at verie grite lenthe hes hard thame vpoun that subiect, and vpoun all and euerye thing that resulted or could be propouned thairanent, and after lang conference, reasoning, and dispute, how far we might go in

a mater of this kynd be forme and ordour of law, for the furtie of bothe pairtyis, it wes in end found, with the consent of bothe procuratoris, that the said Johnne can not be capable in his persone, of ony dispositionis or rights proceding frome the erll or his moder, bot that the same must be conceaved in the fauouris of a thrid persone, fra whome thay must ressaue securitie for thair moneyis. Vpoun whiche pointe we haueing aggreit with the saidis pairtyis and thair procuraturis, as the best and nixt expedient for satling of this buffynes, we haif thairfoir heirwith returnit vnto youre maiestie the saidis articlis, whilkis it will please youre maiestie to cancell and distroy, to the intent, that thairefter we may go on with the pairtyis, and proceed to the finall satling of this buffynes according to the termes now aggreit vpoun. The particularis quhair of being at lenthe comvned vpoun, ar now fullie degeifted and satled. Thair is onlie one pointe contrauerted, whairanent the pairtyis hes referred thamefelffis to youre maiesteis determinatioun; towitt, quhairas the said erll and his predicesfouris hes bene heritable and kyndlie possessors of the landis of Auld Cambmes and Fascastell, haldin of auld of the prioris of Coldinghame, and last of youre maiestie be the act of annexatioun, it is instantlie vrged on the behalf of the erll, that the landis may be referued and exceptit oute of his dispositioun, and that he may still hald the same of your maiestie, ather blenshe or few, for payment of that same dewitie whilk is contened in his faderis and authouris infestmentis. Johnne Steuart being loathe to quyte his superioritie, is some thing auerse in this pointe; bot quhateuir your maiestie fallbe pleased to decerne thairintill, thay will bothe acquiesce and stand to it. Thair is one other pointe whair of the countesse takis halde, and sofer as we can persave, hardlie will sho be inducit to end this buffynes vnles sho gett some satisfactioun thairanent: To witt, sho challengeis a promeis maid be youre maiestie to hir and hir sone of ij^m lib. sterling, whairin yf some course can be tane for hir satisfactioun, and youre maiestie haueing declairit youre will and pleasour anent the superioritie of the landis aboue written, all forder contestatioun anent this mater will in oure opinionis cease, and no thing will rest bot the subscryueing of the contract and otheris securityis *hinc inde*, quhilkis we salbe cairfull to see perfyted and outred. This being the effect of oure proceedingis in this buffynes, we humelie present the same to youre maiesteis

confideratioun; and, with oure most eirnist prayers vnto God for youre maieftis lang and happie reignn, we rest

Youre Maieftis most humble and obedient
subiectis and feruitouris,

AL. CANCELL^s.
MELROS.
W. OLIPHANT.

Edinburgh, 23 August 1620.

To the King his most sacred and excellent
Maiestie.

CCXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN the refett of youre maieftis lettre of the eyght of this instant, willing ws to be particulair anent the spesces of foreyne coyne thocht fitte to haif course heir, with the vtter value of eache peece, and at quhat price thay may pas without losse to the inbringair, or hurte to the subiectis, we conuenit befor ws, as we did the first tyme quhen this mater wes proponned vnto ws, the maister and officiaris of youre maieftis mynte, with some of the maircheantis of Edinburgh best acquaintit with the Franſhe, Spanishe, Flemis, and Easterlyne tradis, and at lenthe conferrit with thame vpoun that subiect; and haueing tane ane verye narrow and exact tryale of the estate of the coyne in these pairtis, and quhat proportioun thay holde in weyght, price, and fynnes with youre maieftis awne coyne, and at quhat raite and price thay may pas heir vnder youre maiesties coyne, we find that the Franſhe crowne and Spanishe pistollett, the rois noble, quart decue and ryallis, jumpis neireft with youre maieftis coyne, and that the toleratioun of thame to haif course will chieflie worke the effect for whiche

the toleratioun is craved. We haif in this other tickett fett down the value, weyght, and price of thir peeceis, with suche moderatioun and indifference, as the maircheant, by the importatioun, may expect gayne; and no feare is to be tane of the exportatioun of youre maiesteis coyne vpoun this occasioun, becaus the difference betuix the priceis is so small, and thair is so litle hoip of gayne to aryse by the exportatioun, that the maircheant will not hafaird to offend in that kynd. The regrait of the subiectis for the scairstie of moneyis yitt continewis, and thay ar still humble fuitearis that this toleratioun may be grantit; wheranent attending youre maiesteis gracious will and pleasour, and humelie recommending youre maiestie, and all youre princelie affairis, to the protectioun of the Almightye, we rest for ever

Youre Maiesteis most humble and obedient
subiectis and feruitouris,

AL. CANCELL^s.
MELROS.
WINTOUN.
G. MURRAY.

ROXBURGHE.
W. OLIPHANT.
A. HAY.

Edinburgh, 23 Auguft 1620.

To the King his most sacred and
excellent Maiestie.

CCXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffautt youre maiesteis lettre, beareing youre maiesteis desire of a voluntair contributioun to be grantit be youre maiesteis counsaill,

nobilitie, and memberis of fessioun, with the burgh of Edinburgh, for defending of the Pallatinat, being the dowrie of youre maiesteis darrest doghter, and defrayeing of the chargeis of the warre thair; in quhilk poynte, althoght we doubt not bot all honnest hairtit subiectis will kyt the thair goode affectionis, and contribute thair best meanis for the defence of that caus, yitt, in respect of the few number of youre maiesteis counsaill present this day, not exceding sevin personis, we could resolute vpoun no other course, bot to appoint a meeting of the haill nobilitie and counsaill to be heir vpoun the xxij day of Nouember nixt to come, vnto whome we haif writtin and sent missiues for this effect; at quhilk tyme, we fall sollicite this buiffynes, with suche pregnant reasonis and argumentis, as may best procure youre maiesteis satisfactioun, and the honnour and credite of this cuntrey. And so, with our humble and earnest prayeris vnto God for youre maiesteis lang and happie reigenn, we rest

Youre Maiesties most humble and obedient
subiectis and seruitouris,

AL. CANCELLS.
MELROS.
W. OLIPHANT.

G. MURRAY.
SR J. SKENE.

Edinburgh, 25 of October 1620.

To the King his most sacred and excellent
Maiestie.

CCXXII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

As the counsell, by their first letter, sent efter their receipt of your maiesties, for contribution to the defence of the Palatinat promised, they

wrote for the whole nobilitie and counsellours to this day, who being all come to towne except some few who have sent excuses of sicknesse and other necessar impediments, with declaration that they shall performe for their partes what shall be concluded by the rest: The meeting for the businesse hes this day beene delayed, by occasion of opposition of some Earles, created by your maiestie, since the Earle of Niddisdails father was honored by your maiestie with that dignitie, acclameing place before this Earle, which being signified to the counsell, they, for preventing of furdur contention amongs the parties, called them, and having signified to such as opposed, that your maiesties letter to my Lord Chancelar, and the tenour of the Earle of Niddisdails patent, conteined the true and iust reasons of your maiesties direction, the parties alledged, that all that wes done, they not being hard to propone their interest, being assured that your maiestie did not intend thereby to preiudge them of the places wherewith your maiestie had honored them or their predeceffours; alledgeing also, that efter the Earle of Angus his restitution, the Earle of Niddisdails father had not possessed that dignitie, and that his elder brother had sittin and voted in parlement amongs the Lords. The Earle of Niddisdaille answered, that his father, in all his lyfe, had still menteaned the place and dignitie of ane earle, and that the neglect of his brother could not preiudge him, being aire to his father, and having his right strengthened by your maiesties iust declaration. They opposed to him the decreit of ranking the noblemen, which assigned place to the Earle of Niddisdails brother, as Lord Maxuell, amongs the Lords; but that decreit wes gevin aganis him not compeirand. Alwayes the instance of the parties, and requisition that the place which they had long possessed should not be taken from them, whill their right wer decyded by the Judge ordinar, moued the counsell to direct some to deale with them to conforme themselves to the counsels aduyce, with declaration that it should be without preiudice of their rights before the ordinar Judge. The opponents refused to consent, but the Earle of Niddisdaill offered to do what the counsell would command, if they would testifie to your maiestie, by their letter, that he had done it for obedience to them, and for eschewing the hinderance of your maiesties seruice, which they, being vnwilling to vndertake, he, for the same respect of desire to remoue all occasion of

disturbance of your maiesties seruice, yeelded to accept of such a place a part as the counsell fould assigne to him, whereby he fould neither take place at this time before his opposites, nor accept of a place that might import a preiudiciall testimonie of his yeelding to a place inferiour to any of them. So by his discretion the present contention is declined, whill your maiesties knowne will, fall prescriue a cleir expedient in their controuerfie.

Some thing hes beene talked of the Earle of Angus his intention to crave vote before the Marquis of Huntlie, from which we haue preassed by freindlie aduyce to divert him. If he persist, such order will be taken as may likewise fettle that distraction, that we may proceed in the dutifull performance of your maiesties direction. If the multitude of the nobilitie, whoes opinions and votes must be hard, force ws to spend large time, I will humblie beg your maiesties patience and pardon for my delay to wryte till the mater be broght to a conclusion.

The patents for the Vicountes are commanded to be speedelie exped, and fall be sent with diligence with God grace, whom I beseech long to preferue and blesse your maiestie with all prosperitie and contentment. Edinburgh, 23 Nouember [1620?]

Your most sacred Maiesties most humble, faithfull,
and bund seruant and subiect,

MELROS.

CCXXIII.—THE EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

MY letter of the 23 declared the occasion which made that day to be vnprofitable spent. The comon letter sent herewith to your maiestie by the prelates, nobilitie, and counsell now in towne, will signifie

the generall willingnes of them all to heartelie obey and reallie performe your maiesties commandement. Thir lynes ar to beg your maiesties pardon for a more particular relation of some of the circumstances in the progresse of the businesse. The whole number met vpon the 24, and, after reading of your maiesties letter twyfe or thryfe, my lord Chancellor, wifelie and eloquentlie acknowledged, that no man wes either able to adduce so good reasons as your maiesties letter conteaned, or by copious speech to make them more sensible, but who euer fould presume to illustrat them, might, like an obscure glosse, wrong an excellent text. And efter relation of the common duties which oblige subiects to their princes, remembring many singular fauors, whereby your maiesties most vertuous and iust gouernement, and infinit benefites, had more strietlie bund this estate in generall, and eurie nobleman in particular, he rehearsed notable exemples of timelie and frie supplies giuen by princes and estates to their distressed confederats, with speciall remarque of the noble and kynd dutie performed by Hieron, king of Sicile, to the Romans, efter their ruinous ouerthrow in the battell of Trafimenum, recorded by Liuius. He concluded with an earnest exhortation to all men to schew, in this iust querrell, their liberalitie, which he defined to be a good deid proceeding from a frie mind. He wes secondded by my lord of Santandrois, who, adding reasons of coniunction in religion and comon perrell both to our liues and consciences, declared, that he resolued not to propone any argument for the iustice and necessitie of the desired supplie, which he knew no man either in heart, wourd, or deid, would deny, but thought it most expedient to aduyse vpon the meanes, how it might be most speedelie and profitablie yeilded, since the scarcitie of moneyes in the cuntrie would be the greatest impediment to the best mindes, and therefore wished to aduyse how moneyes might be had, either by highting the pryce both of your maiesties coyne and foreyne speces, or any other good and expedient meane. The bischop of Aberdene told, that manie of the nobilitie wer absent, and none of the prelates present but my lord of Santandrois and him self, none of the rest being sent for bot my lord of Glasgou, who wes tied to his bed by seeknes, and the bischop of Ros, who being in his diocie, had not timelie warning; which respect, and the absence of so manie of the

nobilitie, vpon whom those that wer present had no power to impose anie burding, made him to think that your maiesties intent might be better satisfied by parliament, where order might be giuen that euerie man might be taxed *capitativ*. But he wished he had been so happie as to haue knowne, whether your maiestie intended that this cuntrie shoulde yeeld a yeerlie contribution, so long as the warres continued, or, that a contribution being at this time largelie giuen, shoulde releiue the people of further burding, to the effect the quantitie might be proportioned to your maiesties intention. The earles of Mar, Erroll, Montrois, Roxburgh, Tullibardin, Wigton, the lords Scone, Carnegie, and others, who wer required to speake, appeired all to contend who shoulde expresse greatest willingnes to satisfie your maiesties desire, which, they acknowledged to be not onlie expedient and iust, but most necessar. My lord Chancelars command forced me to speake, when I could hardlie find what to say, that had not beene already better expressed by others, yet for obedience, and to eschew repetition, I onlie preassed to refute an obiection made, not by anie of the nobilitie, but come to my eares by report of speeches vttered by the ignorant vulgar, or euill affected persons: That thir warres of Germanie did not concerne this nation, onlie accustomed to serue personallie for defense of their natiue cuntrie, and when euer they gaue aide to any forein confederat, it wes onlie by furneissing men, vpon the charges and pay of those who fought our assistance, and not by money, wherof we had in all bipast ages beene vnfurnished, and neuer more nor at this present, which I affirmed to be a grosse and popular errour, since no preceeding occasion wes comparable to this, requyring the necessar defence of the patrimonie of your maiesties children: wife men in all well gouerned estates having euer esteemed that the children of their kings wer the pillars, bulwarks, and fortresses of their estate, and iewels of the kingdome, so precious and inestimable, that, owt of desire to haue that blessing, the subiects had many times importuned, and almost forced, their vnwilling or delaying kings to marie. That Tibere, one of the wisest emperours that euer wes, said to the senat, that the reason of his adopting Drusus and Germanicus, wes, *vt pluribus munitis niteretur*. That Titus, the most gentle and vertuous of all the emperours, had said to his father Vespasian, *neque exercitus nec classes*

tam firma esse Imperii munimenta, quam liberos principis. That Herodian recorded that the Romans, who presumed als freele of old to make gods, as the popes had fenfyne vsurped to make fantes, did not deifie any of their emperours, but such as left children to succede to the empire. That Christian emperours, had, with consent of their nobilitie, and of their prelates, when the church wes verie neer the first and greatest puritie, repudiated their wyues onlie because they wer barren, alledging, for example, Charlemaine, who wes the godliest and greatest of the Christian emperours. That since, France pretended their Salik law to exclude the doghters of their kings from succeeding to the crowne. Lewes the Sevint had repudiated his first Queene, being heire of Aquitanie, because scho had only doghters, that he might marie another with better hope of male children. I abstained from more exemples, albeit many wer recorded in the histories, thinking such as wer already alledged, sufficient to proue, the children of princes to be the greatest and best part of the estate, and that the queen of Boheme, (whoes vertues wer so vniuersallie honored and admired, as scho had extorted the confession therof from the verie ennemies of hir husband) had brought such strenth and happines to your maiestie and your subiects, by the multitude of hir most hopefull children, that they might be thought traitours to both, that fould pretend the warre moued for the ruine of their patrimonie, not to be a querrell, als proper and important to your maiesties subiects, as if it wer raised in the verie bowels of this kingdome. And therefore, coming to the next obiection of our scarcetie of money, I affirmed that it wes sufficientlie answered by your maiesties gracious declaration in your letter, that ye knew that moneyes wer scarce, but that litle would be graciously accepted, and would help to do a good turne. That the best expedient wes, that the nobilitie fould schew the way, and giue exemple to the inferiour estates. That in the distresse of Rome, when the impouerished people, recharged with redoubled contributions, wer ready to mutine, the Consul Leuinus aduised the senatours, who, from the verie fundation of that estate, had bene exemed from all taxations, to renunce their priuilege, and contribute all that they could therby, to encourage the people to follow their example, which, being embraced, did stirre so vertuous

emulation in men of all qualities, that their liberalitie wes so speedelie and abundantlie broght in, *vt neque triumphari accipiendo, nec scribæ referendo, sufficere valerent.* That in the ciuill warres of France, the reitres armie come to assit the Protestants vpon promise of pay; being frustrat therof, began a desperat tumult, tending to the apparent ouerthrow of the Protestants cause, which the principals of the French armie being vnable to prevent by any other meane, resolued vpon a voluntarie contribution, which wes vndelaiedlie performed, not onlie by the nobilitie and gentlemen who had some meanes, but also by the comon fouldiours, who had more reason to craue their owne pay, nor to contribute to that of others, yea the verie goniats exhibited all that litle which wes in their purfes, to satisfie the strengers. That the Persians wer oblised, by a receiued custume, to offer presents to their kings where ever they rencontred them. And Artaxerxes, one day, coming vnexpectedlie to a place where a poore rustik casuallie met him, the perplexed subiects miserie affording no thing to offer his prince, he ranne suddanlie to the neereft riuer, where, taking some of the cleir water in the luffes of his hands, he presented it to that great monarche, who, respecting the well affected heart placed in that poor breast, did so graciousslie accept of his offer, as he commanded the water to be put in a phiole of gold, and to be placed and carefullie kept amongst the most pretious jewels of his infinit treasor. That I had red of old that the Massilians (if I be not mistaken of the peoples name) being so ruined by their enemies in a nauale fight, as the most part of their schips wer either sunk or taken, and the few that escaped wer so torne and disarmed, as wanting cabils, tows, and all sort of cordages and necessar furnitour, they wer altogether vnfit for seruice, and the estate so poore and destitute, both of meanes and forein aide, as their case wes counted desperat, their matrones and maides, who weare long haire as an ornament and badge of their chastetie, with comon resolution, did cut all their haire and bring it to the publik storehouse, their to serue for making tows, cabils, and other necessars of the nauie, whereof did chiefly result the restauration of their ruined cuntrie, and immortall renome to their women as principall instruments therof. These exemples, I thought sufficient both to incourage and direct ws, to supplie the weakenesse of our meanes, by the alacritie of our readie and

spedie contribution, and that no man could either refuse or delay his vttermoſt beneuolence, but he that was deſtitute of ſincere affection. That meeting ended in a choiſe of a number of noblemen, prelates, and other counſellours, appointed to conueene vpon the 25, in the forenone, to aduylſe vpon the beſt meanes to performe reallie what was intended by all for your maieſteis beſt ſatiffaction. Vpon the 25, a ſignification of the earle of Angus intention to craue vote before the marquis of Huntlie did interrupt the effect of that dyet. But, conueening in the afternone, the earle of Angus yeelded, onlie making a modeſt proteſtation, that it ſould not preiudge his right in time coming. Therefter my lord Chancelar recommended ſeriouſlie to all the aſſembly that they would heartelie concur in the propoſition of the particular meanes that might beſt bring your maieſties deſire to good effect, agreeable to their vniforme intention; and willing my Lord of Santandrois firſt to ſpeak, he renewed his former perſuaſions to procede reallie and ſincerelie in the buſineſſe, ſpeciallie in foreſeing ſome courſe, how moneyes might be had in greater quantitie, the want wherof wes the greateſt, or reither the onelie latte, to the preſent execution of our fathfull reſolutions; adding, that albeit thoſe who wer preſent ſould extend and exceed their vttermoſt abilitie, the ſowme would not be wourthie to be offered to your maieſtie, and could import no thing but a diſcouerie of our pouertie, and therefore thought it more convenient that the burding ſould be impoſed vpon the whole ſubieſts by taxation. The earles of Morton, Erroll, Montrois, and all the reſt who wer deſired to ſpeake, wer of that ſame opinion, and ſchew that many privat men wer more able by their wealth to contribute, nor ſome of the greateſt qualitie, and therefore deſired that ſome courſe might be taken to charge them with a burding anſuerable to their ſubſtance. The biſhop of Aberdene ſeemed to feare, that, the ouuerture not tending to a preſent ſatiffaction, might be diſpleaſing to your maieſtie. When I wes commanded, I gave my opinion, that, ſince the cumpanie inclined to an impoſition vpon the eſtates, it could not well be done but by parlement, no other iudicatour having power to impoſe any vnvſuall formes of contribution, or to infringe the immunities of priuiledged perſons, or to force thoſe, who, by their anvelrents, had ſureſt, eaſieſt, and greateſt wealth, to contribute. But if the emperour Niger

had, in time of no great necessitie, imponed tribute vpon his people, *non tantum ratione soli, sed etiam ratione cæli*, your maiestie, for this iust and most important cause, might lafullie taxe those who inioy *solum et cælum* in your dominions, with peace, safetie, and wealth, vnder your maiesties iust and royall protection.

For the delay of time, I thought the course by parlement speedier nor the other, since a voluntar contribution requyred particular mens employments in eurie remotest schire of the kingdome, and dealing with evrie single person of whom ought wes to be craved, who being bund to no other rewle, but that of their owne will, many who might do best being so niggardlie, and their knowledge of their dutie could not moderat their auarice, no thing wes to be hoped of them, but either refusall or grant of vnwourthie sowmes to long dayes, which, brought in, in small parcels, could neither promise good nor speedie effect. Whervpon the mater being put to voting, all in one voice thought a parlement the onlie best way to satiffy your maiesties intention. If your maiestie dislyke not this expedient, vpon signification of your royall pleasour, all will be diligentlie profecuted according to direction; and if your maiestie prescriue any other course, all men appeir disposed to manifeste their zeale to obey whateuer fall proceed from your royall wisdome. So, beseeching God long to preserue your maiestie to direct and protect ws, and to multiplie his wounted blifflings vpon your maiestie and your royall posteritie, I rest

Your most sacred Maiesties most humble, faithfull,
and bund seruant and subiect,

MELROS.

Edinburgh, 27 Nouemb. [1620?]

To the Kings most sacred Maiestie.

CCXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maieſteis directioun, we caufit charge the lord of Scoone, and Patrik Pitcairne of Pitlour, to compeir befor youre maieſteis counſaill, this preſent laſt day of Nouember, ffor cleiring of that complainte and informatioun maid to youre maieſtie, on the behalff of the ſaid Patrik aganis the ſaid lord of Scoone, towcheing certane oppreſſionis and wrongis, alledgeit committit be the ſaid lord aganis him, and ſpecifeit in the petitioun gevin in to youre maieſtie thairanent. For obedience of this charge, bothe the pairtyis compeirit befor ws, and the ſaid lord, verie instantlie and eirniſtlie, vrgeit his tryall vpoun theſe pointis contenit in the ſaid petitioun; and accordinglye, we layed to the ſaid Patrik his charge, yf he had maid ony fuche complaynte, vpoun quhat ground and warrand he had done the ſame, and quhat verificatioun he had for proueing thairof. He excuiſit him ſelff, that he had no purpois nor intentioun directlie to haif made ony fuche complaint to youre maieſtie, and that he had givin no warrand nor directioun to that effect; bot that, vpoun occaſioun of ſome greevis, quhilkis, he had aganis the ſaid lord, he, in the moneth of Junij laſt, write vp to ſome of his freindis at courte to haif beggit ane lettre of recommendatioun frome your maieſtie to your aduocat, to haif tane ſome panes for ſatling of all materis questionable betuix the ſaid lord and him freindlie, and failyeeing thairof, to haif aſſiſtit him in his juſt and laughfull cauſs, and that this wes all that he did, without ony purpois or intentioun to haif complenit; and howeuer the petitioun wes drawne vp in other termes, he could not anſuer for it, becaus he had not gevin informatioun thairto, nor never ſaw the ſame. This excuſe being maid in the ſaid lord his audience, he notwithstanding ſtill inſiſted to haif bene tryed; bot ſeeing the other fled the tryall, and denyit the complainte, in maner foirſaid, we could proceid

no forder thairintill, bot to gif notice to your maiestie of the excuse; whilk in all humilitie remitting to your maiesteis confideratioun, and praying God to blisse your maiestie with mony lang and happie yeiris, we rest

· Your Maiesteis most humble and obedient
subiectis and feruitouris,

AL. CANCELL^r.

J. ERSKYNE.

R. COKBURNE.

G. MURRAY.

MELROS.

GEORGE HAY.

LAUDERDAILL.

Edinburgh, the last of Nouember 1620.

To the King his most sacred and
excellent Maiestie.

CCXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS your maiestie wes pleasit, in the sax hundreth and ten yeir of God, vpoun the humble suite of the lord Elphinstoun, to honnour that familie, quhairof, vnder your maiestie, he is cheiff, with ane approbatioun of thair genealogie, and with ane attestatioun, that one Peter Elphinstoun (who and his prediceffouris hes leved thir mony yeiris bigane in the kingdome of France in the qualitie of gentilmen), is lineallie and laughfullie descendit frome his house, as your maiesteis patent, grantit thairupon vnder your grite seale, bearis. This patent wes thairefter acknowledgeit, with all dew respect, in the fouerane courtis of France, and the gentleman accordinglie establisht in the hereditarie possessioun of his digniteis, whilkis he hes peceablie inioyed till of laite, that some perfonis,

inveying the gentlemanis estate and conditioun, hes begvn not onlie to questioun the qualitie of his pedigree, bot with that, thay haif iuditiallie challengeit youre maiesties approbatioun and attestatioun grantit thair-upoun, as testifeing a supposed trewthe, and as purchest surreptitiouſlie frome youre maiestie; and vpoun this pretext they intend to wrong the gentleman, and to bring youre maiesteis royall attestatioun, whiche is aboue all exceptioun, in questioun. Quhilk being a mater of speciall animadverſioun, and toucheing youre maiestie verie neir in honnour and credite, yf youre royall seale shall thus way be broght in questioun, we haif prefoomed to gif notice of the same vnto youre maiestie, and, in all humilitie, to requeist youre maiestie to write to youre ambassadour resident at Pareis, to attend this buffynes, and to compleane of the wrong done vnto youre maiestie by medling with the sacred auctoritie of youre maiesteis seallis; and for th[is] that he not onlie insift with the Franſhe king and his counsaill, to procure frome thame ane prohibitioun to the iudgeis of the courte of aidis, befor whome the gentilmanis proces is presentlie agit, to forbear all forder medling in that mater, or quarrelling with the auctoritie of youre maiesteis seale, whilk, after dew tryale and cognitioun tane in the caus, wes trewlie, and of youre maiesteis certane knoulege, grantit, bot with that, that thay, nor no other iudgeis within the said kingdome, prefoome to meddle in a mater of this qualitie heirefter. And so, praying the Almighty God to blisse youre maiestie with mony lang and happie yeiris, we rest

Yourre Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.
MELROS.
G. MURRAY.

A. MAR.
GEORGE HAY.
R. COKBURNE.

Edinburgh, 14 December 1620.

To the King his most sacred and
excellent Maiestie.

CCXXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING, according to youre maieſteis directioun, of the nynt of Marche laſt, verie cairfullie perſeſed that ſignatour of the burgh of Edinburgh, ſend down be youre maieſtie to ws, anent the new worke of making of cloathis and ſtuffis, intendit and begvn within the ſaid burgh; and haueing, after diuers and ſindrie meetingis and conferenceis with the magiſtratis of the ſaid burgh, diſcuſſit all the obiectionis and doubtis that wer proponned aganis the ſaid ſignatour; in end, after mature aduiſe and deliberatioun, we cauſit forme and draw vp a new ſignatour, with ſuche prouiſionis, limitationis, and reſtrictionis, as we thocht meete for the weele of the cuntrey, and that nane of youre maieſteis ſubiectionis ſould be preiudgeit or excludit frome intending the lyke workis in other conuenient placeis outwith the liberties of the ſaid burgh. Quhilk ſignatour, markit op the bak be the clerk of youre maieſteis counſell, we ſend vp to youre maieſtie in the moneth of Auguſt laſt, with oure lettre, beareing the forme of oure proceeding in that buſſynes, and quhat goode hoipis we had that this worke wald proue profitable and honnourable to the cuntrey. Bot the importance of youre maieſteis more weyghtie and princelie affairis interven[ing] in this meantyme, haueing withhaldin youre maieſtie frome thinking vpoun that mater, and frome returning vnto ws youre maieſteis opinioun concerning the ſaid ſignatour; and quhairas now the advancement and perfection of that worke, whilk youre maieſtie hes ſo eirniſtie affectit thir mony yeiris bigane, dependis wholie vpoun that ſignatour, we wilbe bauld, in all humilitie, to requeiſt youre maieſtie outhir to retorne the ſame vnder youre maieſteis hand, or then to latt ws kno[we] quhat defectis youre maieſtie hes fund in the ſame, that, after conſideratioun thair of, we may cauſ rectifie the ſame accordinglie. This worke hes bene verie chairgea[ble] to the ſaid burgh, and thay haif maid grite preparatioun of buildingis, and all otheris thingis neceſſair for advance-

ment of the fame; and yf now the progres thair of falbe interrupted or hinderit, thair is no appeirance that ever the said burgh will fett it afute agane, bot that it will altogidder perishe, without ony hoip to be reftoirit or fett vp agane; whilk remitting to youre maiefties moft iuditious confideratioun, and humelie praying God to bliffe youre maieftie with mony lang and happie yeiris, we reft

Your Maiefties moft humble and obedient
fubiectis and feruitouris,

AL. CANCELL^s.

WINTOUN.

CARNEGIE.

MELROS.

LAUDERDAILL.

KILSAYTH.

J. ERSKYNE.

R. COKBURNE.

G. MURRAY.

W. OLIPHANT.

LOTHIANE.

GEORGE HAY.

Edinburgh, 14 December 1620.

To the King his moft facred and
excellent Maieftie.

CCXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOUR maiefties lettre of the xij of this instant, by the quhilk, youre maieftie of new recommendit to youre counfell, the vrgeing of youre maiefties firft directioun and demand, of a voluntair contributioun frome youre nobilitie and counfell, for defence of the Pallatinat, come heir the nyneteene at night, and wes presentit this day to youre maiefties counsell, of whome nane wer present bot the erll of Mar and laird of Marchinstoun, with youre maiesties ordinair officiaries, and these of the fessioun whose placeis astrictis thame to a daylie and ordinair attendance; the hail remnant of the counsell, in respect of the approtcheing vacans, haueing, after

the dissolueing of the laite conuentioun of the nobilitie, reteirit home. Your maiesteis lettre being red, and with mature and dew aduise considerit, we aggreit that, with all conuenient diligence, youre maiesteis hail counfaill and nobilitie shold be broght heir agane, and we haif appointit thair meeting, and hes writtin missives vnto thame to be heir in this toun vpoun the xxij and xxv dayis of Januair nixttocome, to witt, the counsellouris vpoun the xxij daye, and the nobilitie vpoun the xxv; at quhilk meeting all goode meanes and perswasionis shalbe vsed quhilkis may induce first youre maiesteis counsell to begin, and then the nobilitie to follow, and to gif youre maiestie the best and most effectuell satisfiactioun that possiblie we may procure. And so, praying God to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.
MELROS.
GEORGE HAY.
A. MAR.

LAUDERDAILL.
R. COKBURNE.
CARNEGIE.
J. ERSKYNE.

Edinburgh, the 21 day of December 1620.

To the King his most sacred and
excellent Maiestie.

CCXXVIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

I HAUE, for obedience of your maiesties commandement, writin to all the noblemen who pretend interest of opposition to the Earle of

Niddifdails precedence, to be before the Counsell the ellevint of Januar, that I may there declare to them the true and iust causes of your maiesties resolution, to haue them to forbear farther contestation in that mater.

I haue also schowne to the Earle of Angus your maiesties pleafour in the controuerfie betuix the Marquis of Huntlie and him; who answered, that he wes confident of the iustice of your maiesties vnpartiall intentions to both parties in that question, and that his clame wes not for precedence of rank before the marquis, wherein he wes to cede to the marquis, but that the first vote in parlement and publik conventions being granted by your maiestie and your royall progenitours to him and his predeceffours, not as first earles, but by particular prerogative and privilege, by autentik infestments vnder the great seale of the kingdome, he hoped your maiestie would be gratiouflic pleased to allow him to inioy the benefite therof. I desired him to fet downe in writ the grounds of his pretensions to be offered to your maiestie by some of his freindis at Court, vpon sight and due consideration wherof he might expect your maiesties iust determination of the busines, which he hes promised to do.

I deliuered your maiesties letter to the Prouest of Edinburgh, who imparted it to the counsell of the towne, and they haue promised according to their bund dutie to obey. I haue also sent your maiesties other letter to the Archibishop of Santandrois, who will vndoutedlie proceed as he is commanded.

Your maiesties letter for the contribution being red to a verie vnrequent counsell, their answer to your maiestie will schow, that they ar speedelie to write for all that ar of your maiesties counsell in this kingdome, to conueene heir the 23, and the rest of the nobilitie to keep the 25 of Januar. If any perswasion could haue produced good hope of succeffe for a competent contribution, it had beene granted at the last meeting; but it is still feared heir that difficulties fall be found in that proiect, and your maiesties last letter declares your maiesties opinion, that the delay of the supplie, whill it maybe broght in by taxation to be granted by parlement, may be so flow, as in effect it may proue both vntimelie and vnprofitable. For remedie wherof, my humble opinion is, that if the sowe can be ob-

t aned in parlement correspondent to the iustice and necessitie of the most important affaires for which it is craved, either the bourrowes, who ar the onlie men that hes money in this kingdome, may be dealt with to aduance the fowme, deduceing to them the anvelrent proportionable to their aduancement before the terme of the taxation, or some particular men may be dealt with to aduance the money, with allowance for the anvelrent, and assurance that the escheates and lifrents of those who fall go to the horne for vntimelie payment, fall be freelie disponed to them. God is my witnes, that this motion proceedis of the true desire I haue to fie the substance of your maiesties intention most really satissfied, and not being imparted by me to anie creature leiving, can do no harme, if your maiestie judge it vnwourthie to be published. And what ever course fall seeme best to your maiesties incomparable wisdome, none of your best affected seruants, how far foeuer they exceed me in meanes of persuation, fall surpasse the loyaltie of the indeuours of my bodie and mind to procure the best effects of your royall desires theirin. So, prayeing God to prosper your maiesties interprises, and preferue your health and sacred person and posteritie in all prosperitie als manie happie yeeres and ages as humane condicion can admit, I rest

Your most sacred Maiesties most humble and
faithfull seruant and subiect,

MELROS.

Edinburgh, 22 Dec. [1620?]

[To the Kings most sacred Maiestie.]

CCXXIX.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE nobilitie and counsell being conueened in this towne, as they wer appointed, vpon the 25 of this moneth, they spent that day and the nixt, in deliberation vpon the best meanes to giue humble and effectual fatiffaction to your maiestie, in your desire of their supplie to the defense of the Palitinat, the natiue patrimonie of your maiesties grand children, and finding findrie things necessarie to be proponed to your royall consideration, which they thought could not so conuenientlie be represented by letter, as by more ample relation of one of their number, the Archbischop of Santandrois being verie instantlie requested by them all to vndertake that charge, which he could not well decline, hes resolved not to loose any time, but hes already begun his journey towards court, least delay might haue procured your maiesties offense, and hinderance to that important and most necessarie businesse, which all good subiects do zealouslie affect. No thing will hinder the haste of his passage, vnles the extremitie of euill weather, or seeknesse, disable him to end it so speedelie as he earnestlie intends. If your maiestie be graciouslie pleased to suspend your resolution till his coming to court, your maiestie may be assured that he will either propone the meanes which your maiestie will approue, or, if any other course be vnalterable determined by your maiestie, at his returne, your maiesties pleasour being signified to the nobilitie and counsell, I verelie hope it shall be obeyed to the vttermost of their abilities, which I humbly remit to your gracious consideration. And earnestlie praying God long to preferue your maiesties life, health,

and prosperitie, which assure the accomplishment of all the wishes of your
subiects for their persite wealth and peace, I rest

Your most sacred Maiesties most humble, faithfull,
and euir bund seruant and subiect,

MELROS.

Edinburgh, 29 Januar [1621?]

CCXXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPOUN knowledge of youre maiesteis will and pleasour, for con-
vening of the esteatis of the kingdome in parliament, and after dew con-
sideratioun had of the convenience of the tyme, alfweele, for the weele
and ease of the subiectis, as for the more solemne and frequent meeting
of the esteatis, we haif maid choise of the first of Junij now approtching,
and causit proclame the parliament to that day. The reffonis for the
choise of this dyet, being groundit vpoun fuche respectis, as we could not
goodelie prevent that day, becaus the ordour of the parliament not onlie
requiris a laughfull intimatioun at the mercatt croce of Edinburgh, and
otheris placeis neidfull, vpoun fourtie dayis wairning, bot lykewayes pre-
ceptis frome youre maiesties chancellarie, and missiues frome youre
counsell to the haill esteatis, must be directit and delyuerit; the dispatche
quhairof will require lairge tyme. And nixt, numberis of youre maiesteis
subiectis, especiallie the nobilitie and baronis, ar vnder so grite burdyne
of debt to be payit at the approtcheing terme of Witfsonday, the outred
quhairof importis thame verie neirlie in thair credite and standing, as
nouthir may thay neglekt nor slip that terme, nor can thay convenientlie
keepe ane other dyet afoir the same aboute the end of Aprile, becaus that
wald draw a double trouble vpoun thame, and mak thame subiect to tua

dyetis, quhairby it wes to be feared, that mony forced by the necessitie of thair hard esteatis, wald choofe rather to haif incurred the danger of the vnlaw of parliament, nor to neglect the terme. And forder, the subiect quhairin the esteatis ar to gif vnto youre maiestie satisfactioun is alreddy so weele knowne vnto thame, that, in oure opinionis, the terme of Martymes nixt, falbe designit for that purpois, quhilk may als conuenientlie be done in Junij, as yf the parliament had bene foner indicted, sua that the precipitacioun of the dyet of the parliament, could nowayes forder nor advance the earand, bot procure trouble and vexatioun to the subiectis: the consideratioun quhairof moued ws to mak choife of this day as the most fitte and proper tyme, being after the terme quhen euery manis buffynes wilbe dispatcheit, and quhen the esteatis may at laifer attend. And we humelie beseeche your maiestie, to vouchsaif youre gracious allowance and approbatioun to this oure resolutioun for the dyet of the parliament, quhairin we had no other respect bot to procure vnto your maiestie all wished contentment, with als litle trouble to the subiectis as possiblie may be; and so, praying the Almighty God to wathe ouer youre sacred persone, and to grant vnto youre maiestie mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.
A. MAR.
WINTOUN.
MELROS.
LAUDERDAILL.

J. ERSKINE.
W. OLIPHANT.
G. MURRAY.
R. COKBURNE.

Edinburgh, octauo Martij 1621.

To the King his most sacred and
excellent Maiestie.

CCXXXI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE Lords Chancelar, Thesaurar, and I, according to the commandment of your maiesties letter to ws, met with the Lord Archbischop of Santandrois, and aduised vpon the maters mentioned in the letter, and others related by him to ws, by your maiesties direction, and agried in vniforme opinion, that we could no way presume to nominat a commissioner to your maiestie, your owne experience and knowledge of the noble mens sufficiencie and disposition, and your incomparable wisdome, being onlie able to make the fittest choice. So that we can meddle no farder in that point, but humblie to pray your maiestie to consider that the person to be trusted with that weightie charge, must, in the honorable exercise therof, be forced to be at great expences, and so will need some releif from your royall bontie.

Anent the fowme of the contribution, we could proceed no further, but to conclude that we must all studie to extend it, to the greatest quantitie, that the cuntrie can beare, and for that pourpose, to prepare all with whom we can haue opportunitie to confer, before the parlement, to yeeld to the hieft rate, and to persuaide others to do the like, and to foresie the best reafons and meanes that may induce eurie estate to a verie large contribution, according to our assured good hopes. We reasoned vpon the forme of the imposition, and of the maner of payment therof, not forgetting the large help which may be exacted of the welthier sort, which heretofore haue been frie of all taxations, they neither being churchmen, landedmen, nor burgeffes; neither could it be well seen how they might be broght vnder the necessitie of contribution. For remouing this dowt, I proponed that the ordinar taxation being granted in large quantitie, might be imposed vpon the estates in the accustomed maner, and an act of parlement obtained, ordaning, that the wealthie anvelrentars shold contri-

bute to the supplie of your maiesties most important and necessarie present affaires, for which effect commission shoulde be giuen to a selected number, to call and taxe them to a reasonable proportion of subsidie, according to their stock and rent, and to summond them by open proclamation to compeir at a certane day, to giue vp a true declaration of the fowmes, for which they receiued anvelrent, by infestment, band, or other securitie whatsoever, and if need wer, vpon deniall to put them o oath, or to proue aganis them by writ; with certification, that all the fowmes concealed by them shoulde be confiscat to your maiestie, wheneuer they shoulde be discovered, and if the dettour would dilate them, he shoulde be frie of the thrid of his debt for his panes, he payand to your maiestie the two part thair-of, which the lords consented to; and if this course receiue your maiesties approbation, it shall be proponed and carefullie presented.

It wes thought be ws, that your maiesties discharge of bypast contrauentions of the penall statutes, will greatlie encourage the people, now standing in feare of vexation, by reports of some mens intentions to beg warrands to trouble the subiects by such perfutes, to grant the more willinglie to a large taxation, and that much more may be expected if it shall be allowed to come in at findrie termes, nor if it shall be preassed to be payed all at one dyet.

My Lord of Santandrois tolde me, that your maiestie had directed him to command me to send vp a warrand for appointing a commissioner, which I sent heirwith; and that I shoulde also send the frame of a letter to be directed to the estates, which I haue likewayes obeyed, but with just feare that the prolixitie may offend your maiestie, and that more shall be found in it to delet or alter, nor to be allowed. But I still hope that your maiesties accustomed grace and bontie to me shall procure my faithfull obedience to be accepted for sacrifice; and thank God that I haue a royall maister, excellent aboue all others, in well doing, speaking and writing, to pardon, couer and amend my defects; and as in France their king is compted the first secretarie of estate, and hes assigned to him (as they terme it) la premiere bourse of their fles, so I am assured, that when all the best secretaries of the world shall be conueened, they will be found inferiour to your maiestie in the skill of their owne profession, and I being

one of the most incapable, must regrave and excuse my errors with the misfortune of wanting the happiness of your majesties particular directions, and still have recourse to your majesties gracious and benigne construction, which, with innumerable other benefites and favours, shall make me incessantly to beseech God to continue his blessings to your majesties subjects by your long and happy life, and ever to comfort and strengthen your royal mynd with the prosperous success of your princely enterprises, and accomplishment of your desires. Edinburgh, 29 Merch [1621 ?]

Your Majesties most humble, faithful, and
eternally bound servant,

MELROS.

To the Kings most sacred Maiestie.

CCXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERAINE,

THE comptis of your maiesties thesaurarie and comptrollarie being lately maid in your maiesties exchequer, and verie narrowly examined and remarkit, be those who were trusted with the buffynes, it is clearly fundin that your maiesties casualtyis and rentis are verie far diminished, and come short of that quhairunto they amounted in the preceding comptis, the occasion quhair of has proceeded partly from the decay of the trade and handling, quhilk is wondrously fallen of, in all the parties of this kingdom, and partly from the small prices that the victuall presently gives. And although your maiesties thesaurair and deputie thesaurair, with the concurrence of the commissioners of your maiesties rentis, has been verie sollicit, careful, and diligent to supply and set up this defect and diminution in your majesties rentis, by sundrie means and ways,

quhilkis thay haif cairfullie followit oute to that effect, yitt thay can not bring your maieftieis rentis, and the burdynis lyand and daylie increfeing vpoun the officeis, to ane equall proportioun; with the particularis quhair- of we being loathe to impashe youre maieftie, and yo ure deputie thefau- rair being defyrous to gif ane accompt thairof to youre maieftie him felff, we haif allowed of his goode intentioun in this pointe, and wilbe bauld humelie to intreate your maieftie, that quhen he comes thair, youre ma- iestie wilbe pleasit to grant him fauourable acceffe to youre royall pre- fence and benigne audience, to relate vnto youre maieftie fuche particu- laris, as he hes to propone for the advancement of the seruice, with fuche laughfull furtherance and affiftance as may in able him to discharge the fame to your maieftieis honnour and contentment of the fubiectis. And fo, praying the Almighty God to preferue your maieftie in helthe, and to bliffe youre maieftie with mony lang and happie yeiris, we reft

Your Maiefties moft humble and obedient
fubiectis and feruitouris,

AL. CANCELLS.
MELROS.
KILSAYTH.

GEORGE HAY.
W. OLIPHANT.
J. HAMILTON.

Edinburgh, 29 Merche 1621.

To the King his moft facred and excellent
Maieftie.

CCXXXIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

My iuft greif for my errour in the narratiue of the letter to the parlement, forces me to importune your maieftie with my moft humble

fute for pardon, and for your maiesties gracious permission to adde this true excuse, that not hauing direction or warrand from your maiestie to enterteane correspondence with anie strenger, I haue carefullie forborne to do it by wourd or writ; neither haue I knowne from court, either by particular letters to my self, or by anie wretin to the counsell heir, anie certanetie of the estate of the affaires of the Palatinat or Boheme; and so wes forced to follow the incertantie of popular reports. I submislie beseech your maiestie to be graciously pleased, at all efter following occasions, to make me happie by more particular direction of your most excellent wisdome, which I fall follow as the infallible reule of dutie.

As to the contribution, wherof your maiestie commands me to haue care, all the nobilitie and counsell ar witneffis of my zeale exprest in that mater at both conuentions, by such reafons and exemples, as bind me to continow and to adde all furder persuations which my weake iudgement, reading, or experience can furnish. And the innumerable graces receiued from your maiestie fall make me incessantlie to beseech God to perpetuat to your maiestie, and your royall posteritie, the perfection of all happinesse in heauen and earth, and to remane

Your Maiesties most faithfullie humble and obedient
subiect and seruant,

MELROS.

Edinburgh, 28 April [1621?]

To the Kings most sacred Maiestie.

CCXXXIV.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

YESTERNIGHT I receiued by packet of the tuentie, your two letters of the 17, and haue, as ye aduised me, wreten to yow this other

letter, to be showne to his maiestie when ye find opportunitie. The counsell is to conveene vpon the fourt of June, at which time I fall presente your roll, and fettle that turne conforme to your direction, in the best fort I can.

Your busines with Waughton delays by Sir James Bailies default, who receiued from Mr Francis Hay the contract fifteen dayes ago, and still reteanes it; so, till his returne to this towne, nothing can be done therin. I wrote to yow before of the conference I had with my lord Stormont, wherby I sie no appearance of farder progresse in these affaires, vnles he change his mind. In the meantime, things may rest as they ar; and whill ye sie some better resolution in him, ye may forbear to furnish moneyes for the vse proponed by him, pretending iustlie the greater necessitie of the releif of debts vndertaken for your bargane of Tunigham.

I deliuered your letters to James Hamilton, who wes returned before they came to my hands.

I am glade ye haue fetled with the earle of Niddisdaill. In your question of nighbourheid, I fall do the best offices I can for setling it, if these for the other partie please to proceed vpon the grounds intended by yow, which I scarcely expect, and feare he leane too much to the opinion of his right and power of his freinds heir; but if it turne to that, I am confident that many whom ye haue oblised, will proue honest and thankfull men in all lawfull dutie. It fall be aganis my will, it go to that triall, vnles their strictnesse force it. So, wishing yow all happinesse, I rest

Your faithfull and euer obedient freind,

MELROS.

Edinburgh, 28 May [1621?]

To the right worshipfull John Murray of
Lochmaben, one of his Maiesties
Bedchamber, at Court.

CCXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieftie's lettre of the fecund of May laft, by the quhilk, it hes pleafit your maieftie, to recommend vnto ws the confideratioun of that petition, exhibite vnto your maieftie on the behalf of Ludo-uik Steuart, brother to the Lord of Blantyre, anent the erecting and fitting vp of beacons vpoun the fhallow pairtis and blind craigis, within the river of Forthe, and it wes your maieftie's pleafour, that we fould returne vnto your maieftie, oure opinioun anent the expediencie of the granting of that petition, in the quhilk point, as with all dew refpect, we acknowledge youre maieftie's moft fingulair and prudent directioun, and youre excellent foirfight and wifdome, in foirbeareing to gif way to petitionis of this kynd, till firft youre maieftie be trewlie informed of the nature and qualitie of the fame. So anent this particulair, the trewth is, that in this laite vnfeafonable and tempeftuous winter, fome ftrangearis fchippis being brokin and caffin away vpoun the faidis blind craigis, fir George Bruce, oute of his honneft refpect to the credite of the cuntrey, maid a motioun vnto ws, for fetting vp of beacons vpoun the faidis blind craigis, and he vnder-tooke the doing thair of, vpoun a verie fmall dewtie to be payit be euerie ftrangeair fhip paffing vp the firthe for ane yeir; bot the gentlemen awnaris of the coilheuchis vpoun the revair of Forthe, whome this mater chieflie concernis, inrefpect no ftrangearis fhippis comis that way bot outhir for coill or falt, apprehending, with verie goode reffoun, that the payment of this dewtie wald carye with it a verie grite reproitche and fcandall to the cuntrey, as yf fuche a fmall peece of worke in the moft eminent river of the kingdome, could not be gottin done without the contributioun and help of ftrangearis, thay thairfoir haif vndertane, freelie and vpoun thair awne chargeis, to fett vp the faidis beacons, betuix and this approtcheing

Lambmes, fo that now thair is no neceffitie, that ony otheris falbe fett on worke that way; and yf the lyke of this occasioun fhall fall oute in ony other river of this kingdome, vpoun knowledge to be gevin thairof vnto ws, we fhall tak fuche courfe and ordour thairanent, as fhall beft ftand with the credite of the cuntrey and faultie of fhippis arryveing in the faidis riveris. And fo, continewing oure eirnist and vnceffant prayeris vnto God for your maieftis long, happie, and bliffed reigne, we reft

Youre Maiefties moft humble and obedient
fubiectis and feruitouris,

AL. CANCELLS.
A. MAR.
MELROS.

DUNBLANE.
R. COKBURNE.
J. COKBURNE.

Edinburgh, the fyft of Junij 1621.

To the King his moft sacred and
excellent Maieftie.

CCXXXVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene tua remiffionis figned be youre maieftie laitlie,
prefented to be exped be ws, the one in fauouris of Sir James M'Donald,

and a number of his compliceis, for the slaughter of M'Clane, for breking of warde oute of the castell of Edinburgh, for surprising of the castell of Dunnyvaig, for fyre raising, and all otheris crymes committit be thame ; and the other in fauouris of M'Rannald, and certane his compliceis, for conveying of the said Sir James M'Donald oute of the castell of Edinburgh, for fyre raising at the castell of Dunnyvaig, slaughter of the constable thair of, and for all otheris crymes and offenffes commitit be thame : And althoght we acknowlege youre maiesteis royall power, and youre most gracious and clement dispositioun, to extend youre fauour and mercie to fuche of youre maiesties subiectis as hes offendit, yitt the truste whilk youre maiestie hes repoisit of youre affairis in ws, oblißes ws in dewitie to present vnto youre maiesties consideratioun, oure humble opinionis concerning thir remissionis ; for in materis of this kynd, importing the quyet of the state, and concerning chiftanis of clannis in the Heighlandis and Ilis, who hes grite dependance, and ar followit be mony personis wickedlie and evil dispoisit, youre maiestie hes beene pleasit that goode suirtie be fundin for youre maiesties peace, and for thair futur obedience to law and justice, in whilk pointe thair hes no fuche offer beene maid be thir personis. And howeuer we perswade oure selffis, that it is not youre maiesties meaneing that thay fall returne within this kingdome, yitt it is expedient, for preuenting of all occasionis that may fall oute, that thay fall find suirtie for the peace, for thay and thair friendis, who now lurkis and ar quyet, and who, without doubt, will ryfe and joyne with thame, yf thay fal happin to returne, hes so far medlit with the lyves and bloode of numberis of youre maiesteis subiectis, that it may be certanelie expectit, mutuall revengeis wilbe huntit for on ather fyde, quhairupoun fuche difordour and confusioun will fall oute in the Ilis, as will require grite panes, chargeis, and expenffes to pacifie the same. The consideratioun quairof hes moued ws to continew the expediting of thir remissionis, till we vnderstand forder of youre maiesteis pleafour thairanent ; and we will humelie beseeke youre maiestie to vouchaif youre gracious acceptance and fauourable constructioun of this oure humble opinioun, quhairin we haif no other respect bot youre maiesteis obedience and the peace of the cuntrey. And so, praying the Almightye

God to protect youre royall perfone, and to blisse youre maiestie with
mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient
subiectis and feruitouris,

AL. CANCELL^r.
A. MAR.
MELROS.
GEORGE HAY.

W. OLIPHANT.
G. MURRAY.
KILSAYTH.
J. HAMILTON.

Edinburgh, 7 Junij 1621.

To the King his most sacred and
excellent Maiestie.

CCXXXVII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

ACCORDING to the commandment of your maiesties letter, I wrote for the principall gentlemen of the earle of Homes name to come to this towne, to know by me, your maiesties pleafour in maters concerning the earle and his house; whervpon the lairds of Wedderburne, Aytoun, Blacader, Poluart, Manderston, Hutonhall, and Northberuik, came, to whome I related the finishing of the earles mariage, before they could be aduertised, proceeded of your maiesties earnest desire to haue it done (as a mater greatlie importing the young noblemans good) before the vicount Falkland shold go to Ireland, and therefore wished them not to mistake it, but think of it, as a mater procured by your maiestie for the parties good, of whom, and all his affaires, your maiestie intended to take a gra-

cious care. I shew also your maiesties expresse will that they shoulde keepe dutie to the earle, and be instruments of peace and loue betuix him and his ladie, which they all heartelie promised, resting satisfiied with what was done, since it proceeded from your maiesties good pleasour, whose gracious respect to that ancient house was notour to them all. They desired that, in other maters of importance concerning the earle, the countesse his mother might make her intentions and courses knowne to them, and heare and respect their faithfull aduice therin, which, if scho neglected, they could haue no contentment to mell in the busines. I promised to propone their desire and obteane their satisfaction, and so dismissed them with contentment, ioyning with me in prayers to God for your maiesties long and happie life. I rest

Your Maiesties most humble, faithful, and bund
subiect and seruant,

MELROS.

Edinburgh, 14 June [1621?]

To the Kings most sacred Maiestie.

CCXXXVIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

I HAUE been foght be the laird of Bas and his mother, to deale with them at this terme for some Lamtermure rowmes of small auail, which he held of me, and hearing that others were of intention to haue blocked, for whom the rowmes were not so necessarie as for me, who haue no vther store rowmes for sheep to the vse of my house, when I dwell in the Byres, I accepted of their offer, and haue payed to them one and

tuentie thoufand merkis. They haue yet reteaned vndifponed ane rowme halden of me, for which they are bound to pay yeerlie aucht chalders victuall, which is very neere the vtter availl of that land, albeit I offered to haue giuen them any fmall price it could haue beene tryed more worth nor the fewferme; but they giue owt that they will fell no more. In the meantime, I will affure yow, that one of their neereft and beft freinds hes told me, that he perfittlie knowes, that if they fell als much land as may pay their debt, they will haue litle or nothing behind to themfelues, and ere ane yeare be at ane end, they will either fell the moft part of that eftate, or it will be comprifed from them. Therefore, if yee haue a mind to deale, prepaire moneyes fo foone as ye can, for their neceffities will force them to do that which in vaine they ftriue to efhew. I neede not to feek thankis from yow for forbearing to mell in their barganes, becaufe I am vnable for want of moneyes, but I will pray yow to beleeeue, that albeit I had more nor their valiant, I wald not giue them fyve fhillings, if I knew that ye intended to bargain with them, except for the rowme of Grangemure halden of me, the price wherof will not exceed the worth of my fewfermes in two or thrie thoufand merkis. If ye deale with them, the greateft difficultie will arrife from inhibitions ferued aganis them, for fome haue alreadie begun, and it is to be feared that their exemple may moue others to do the like. Whateuer ye fall wifh me to do for help of your intentions in this bufines, vpon aduertifement fall be hairtelie performed by

Your moft affectionat and bund freind,

MELROS.

Edinburgh, 19 June [1621?]

To the right worfhipfull John Murray of
Lochmaben, one of his Maiefties
Bedchamber, at Court.

CCXXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes beene a petitioun preferrit vnto ws, in name of youre maiesties goode subiectis, the marcheantis of this kingdome, who tradis and trafficquis in France, propoting, that quhairas thay, for the better intertenying of thair trade in that kingdome, haueing ever beene in vse to haif thair factouris lyand at Pareis, Rowane, Deip, Newheavin, and Burdeaulx, and fuche otheris townis and pairtis in France, quhair the intercoure of thair commodityis wes most frequent and commoun, and that thir factouris haueing the charge and truste of thair whole goodis, and of the wairing and returning of the same, and of the paying and refflaueing of thair debtis, and some of thame, haueing thair whole stokkis lyand in thair factouris handis: That now, vpoun occasioun of thir troublis in France, quhairwith these of the religioun ar cheiffie threatned, thair saidis factouris doe not onlie vnderly the commoun danger and calamitie with the rest of thair religioun, bot with that the goodis of thir petitionaris, quhairof thair saidis factouris hes the charge and truste, ar lyke to be expoised to the discretioun of the merciles fouldiour, quhairthrow, nomberis of youre maiesties goode subiectis wilbe ouerthrowne and wrakit, vnles your sacred maiestie, oute of youre accustomat princelie and tender regaird of thair distresses, prouide remeid. And thairfoir, thair humble petitioun vnto ws, wes, that we wald recommend thame vnto youre sacred maiestie, and, on thair behalfis, be humble intercessoris vnto youre maiestie, that youre maiestie wald be gratiousslie pleasit to write in thair fauouris to the Franshe king; as youre maiestie hes alreddie done, in fauouris of the Inglishe marcheantis and thair factouris; that thay and thair factouris may peceablie vse thair trade within the said kingdome; that thay may call for thair debtis be ordour of law, and that thay be not troublit in thair conscienceis, perfonis, or goodis, be vertew of any edictis maid, or to be maid, for makeris of religioun, or ony thing

depending thairupoun; and that thair armour quhairof thay ar alreddie spoylled may be redelyuerit vnto thame. This being the effect and substance of thair petition, we humelie present the same to youre maiesties princelie confideratioun; and we will craue permissioun humelie to beseeke youre maiestie, to gif vnto thame some satisfactioun in this point, after suche a forme and maner as youre maiestie, in the excellencie of youre incomparable wisdom, shall holde fitting, by whilk doing, youre maiestie will prevent the appeiring ouerthrowe of a number of honnest familieis, whose whole estate and stok is lyand in France, and thay wilbe stoirit vp, in a most christiane and holie dispositioun, to be so mutche the more feruent, according to thair bundin dewitie, to concur and continew with ws in thair vncessant prayeris vnto God for youre maiesties lang, blissed, and happie reigne. Frome Edinburgh, the xxi day of Junij 1621.

Your Maiesties most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.
MELROS.
LOTHIANE.
CARNEGIE.
KILSAYTH.

LAUDERDAILL.
GEORGE HAY.
W. OLIPHANT.
R. COKBURNE.

To the King his most sacred and
excellent Maiestie.

CCXL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiesteis lettre of the xxv of May last, by the quhilk, it appeiris youre maiestie hes tane some offens, becaus youre maiestie wes not acquentit be ws with the rebelloun of the Erle of Caithnes,

and with the difordouris of the cuntrie of Caithnes, quhilk, as youre maieftie is informed, is now become als barbarous as the moſt remote pairtis of the Heighlandis or Ilis; and thairfoir it is youre maiefteis pleaſour that we ſhall exped a commiſſioun to Sir Robert Gordoun for perſute of the ſaid erle and taking of his houſſe, and that we ſhall tak ordour that euerie landit man in the cuntrie of Caithnes, ſhall, anes or twyfe yeirlie, gif thair perſonall compeirance befoir ws, as the chiftaneis of the Ilis dois, to anſuer to ſuche complaintis as ſhall be maid aganis thame: and laſt, that the gift of the ſaid erle, his eſcheate and lyverent, ſhalbe diſponit gratis to ſuche a perſone, as the biſchop his commiſſair and miniſteris ſhall nominat, for thair uſe and behoofe. In quhilkis particularis, we will humelie crave youre maiefteis permiſſioun firſt to cleir oure ſelfis of theſe pointis, quhairof youre maieftie ſeames to tak offens aganis ws, and then to preſent vnto youre maieftie oure opinioun concerning the other pointis of youre maiefteis lettre.

And firſt, for not acquainting your maieftie with the erlis rebelloun, and with the difordouris of the cuntrey, we haif not hard of ony publict or avowed rebelloun profeſt be him, whairupoun thair wes ony appeirance of trouble or vnquietnes lyke to follow. He is diuers tymes at the horne for ciuile cauſſes, bot he hes had ſuche a doing with his creditouris, of feeding thame with hoipis and expectatioun of payment, that thay haif beene verie oft petitionaris and ſuitaris vnto ws, for proteſtionis and continewationis vnto him, and thay can not, nor will not, complene of want of juſtice, bot thay haif bene aſſiſtit with all ſuche executioun, reall and perſonall, as is ordinair in civile hoirnings: and towcheing that criminall hoirning obieſtat aganis him at the commiſſaris inſtance, for the ſlaughter of his brother, thair wes litle or no intimationis maid thairof to ws, afoir the reſett of this youre maieſties lettre. The pairtie hes had the lawis patent vnto him, and in the proſequution thairof, wes never denyit of ony thing, that the courſe of juſtice in ſuche a caſe wald allow.

And for the difordouris of the cuntrie, and aſtriſting of the landit men thairof to thair perſonall compeirance yeirlie befoir the counſaill, we may confidentlie ſay vnto your maieftie, that we haif hard als few complaintis or difordouris in that cuntrie as in ony other pairt of the incuntrie, for

your maiesties subiectis who tradis and trafficquis thair, hes the exercise of thair trade and handling, in als grite fredome and securitie thair, as ony quhair els; and the landit men of the cuntrie ar ciuile, peceable, and anfuerable gentilmen, levis vnder the obedience of your maiestie and your lawis, and followis thair actionis, quhen thay ony haif, be the ordinair course of iustice. Sua, that, in oure opinionis, (faulffing youre maieftis more excellend iudgement, quhairunto we submitt oure selffis,) it is not expedient that thay who ar, and euer hes bene, in the rank and qualitie of anfuerable gentlemen, falbe tyed to the necessitie of personall compeirance yeirlye, or that thay falbe straitit with those conditionis, quhairwith the cheftanis of the ilis, quho euer hes bene difobedient and vnansfuerable, ar burdynnit.

And towcheing the commissioun commandit to be exped to Sir Robert Gordoun, we fend for him, and impaired vnto him youre maieftis directioun in that pointe. The gentilman seamed verie willing to vndirgo, quhatfomeuir burdynis or seruices your maiestie wald impoife vpoun him, and thairin to hafaird, not onlie his awne esteate and fortoun, bot the lyves and fortounis of his freindis and followaris: bot anent the executioun of the commissioun in that substantiall forme and maner, as wes requisite for youre maieftis honnour, and his awne credite, he proponned some difficultis and doubtis, as namelie, yf the erle fould flee to ony houffes or strenthis, quhair of he hes three verie strong, in quhat forme and maner fould the houffes be persewit, seing thay wer not able to be recouerit without the cannoun; and quhen, as we wer reafouning vpoun this difficultie, after that Sir Robert wes remoued, thair fell oute another questioun at the Counsaill table, anent the trouble that might aryse, vpoun the executioun of this commissioun in the persone of the said Sir Robert, in respect of the mony eleiftis, discontentmentis, and jarris, standing betuix the houffes of Suthirland, Strathnaver, and Caithnes; and yf the pouer and forceis of Suthirland and Strathnaver fould come in Caithnes, vnder the charge of the said Sir Robert, who now, in the minoritie of the Erle of Suthirland, representis the head of that hause, it is to be feared, that mony occasionis wald occur betwix thame and the cuntrey people of

Caithnes, quhilkis wald procure grite difordour and trouble; and thairfoir it wes proponned, as ane expedient for eshewing of all suche appeirand difordour and trouble, that the Lord Gordoun, who is ane neutrall and indifferent nobleman, and quhose authoritie and prefence wald do mutche in these cuntreies, fould be adioynit vnto Sir Robert in this commissioun: quhairanent Sir Robertis awne opinioun being craued, he verie hairtelie and willinglie imbraced the ouertour, promissing to joyne and concurr with the Lord Gordoun with his haill pouer, freindship, and forceis in that seruice. And the mater being proponned to the Lord Gordoun, he verie wyllie, and with reffoun, anfuerit, that he wald not intrust himself in youre maiesteis seruice, without your maiesties allowance and speciall directioun; promissing neurtheles, to vndirgo quhatfomeuir youre maiestie falbe pleasit to injoyne vnto him, in this or any other thing els.

And towcheing the escheate and lyfrent of the said Erll of Caithnes, that is all quhairupoun his creditouris and cautionaris, who ar mony, and youre maiesteis goode and faithfull subiectis, hes buildit thair hoipsis of payment, and without the quhilk, thair is no possibillitie of releiff or payment. Thay ar a number of honnest men, and some of thame hes thair whole esteate and fortonis in the erllis handis; and yf otheris, whose entres is litill or no thing, falbe preferrit to thame in this point, thay and thair famileis wilbe vndone. Thay advanceit thair moneyis quhen the erle wes ane free and laughfull subiect, thay haif not bene accessorie to his misdeidis, nor hes not offendit agane your maiesties lawis; and thairfoir we will humelie intreate your maiestie in thair fauour, that thay may be preferrit to the escheit and lyfrent, without the whilk thay ar vndone.

In the otheris pointis anent the commissioun, and the personall compeirance of the landit men of Caithnes yeirlie, we humelie beseeke your maiestie to accept in goode pairt oure opinionis thairanent, quhairin we ar free of all priuat respectis, and hes no thing befoir oure eyis bot your maiesties honnour, the peace of the cuntrey, and furtherance of your maiesteis seruice, and that youre maiestie wilbe pleasit to latt ws knowe your awne pleasour, bothe anent the adjoneing of the Lord Gordoun to this commissioun, and quhat course falbe followit oute aganis the said erle, yf

his houffes falbe kept, quhilk we looke not for. And fo, with our humble and eirnist prayeris vnto God for your lang and happie reigne, we rest

Your Maiefties moft humble and obedient
fubiectis and feruitouris,

AL. CANCELL^s.
A. MAR.
WINTOUN.
WIGTOUN.
MELROS.

LAUDERDAILL.
ROXBURGHE.
J. ERSKYNE.
R. COKBURNE.

Edinburgh, 28 Junij 1621.

To the King his moft excellent and facred
Maieftie.

CCXLI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

NECESSARE duetie commandis me to giue your maieftie aduertifement, of the proceeding of matters concerning your maiefties parlement of this your natiue kingdome, and my exercife therein refufing me leafure to doe it orderlie, forces me to beg your maiefties gracious pardon, rather to doe it in rude forme and ftile, nor, by curiofitie of thofe, to neglect any pointe of fubftance. The marquis of Hamilton, your maiefties commiffionare, came to Edinburgh vpon the 18th of this moneth, and met no fooner fome noblemen and barons vpon his way, but, after interchanged courtesies, he begane to require their affiftance in his charge of your maiefties fervice. The next day he conferred with the deane of Wincheſter and archbiſhope of St Androis, of church matters and others, concerning

your royall directions in parlement, and then mett with some few of your most trusted officers and counselloris; and least the rest of the counsell and nobilitie should suspect that conclusions wer made by a few number, and they neglected, he convened them all vpon Satirday, and by their advise, resolued vpon the time of fensing the parlement day, of the ryding of the estates, and course to be kepte for preventing contentions, trouble, or disorders. Vpon Sonday in the afternoone, and Monday, he continued his dealing with particulare men of evrie estate, and speciallie the noblemen, whose favour he preassed to conciliate be hartie conversation and feasting. But hearing vpon Monday afternoone, that a madd minister of Merton, called Simpson, had made a foolishhe and malicious sermon in the Grayfreir church of this towne, vpon Sonday in the afternoone, and that Maister Andro Duncane, sometime minister of Craill, and for fundrie contempts done to the bishopes now depriued, had given to the clarke of register a supplication to haue beene presented to the parlement, impugning in effect the Articles of the Assemblie of Perth, whome two ministers, the archbishop of St Androis and I, caused be apprehendit by the captane of the gaird, your maiesties commiffionare did presentlie convene the counsell, where they werr accused, and, vpon notorietie of their offences, wer presentlie sent prifoners to the castle of Dumbarten; and vpon knowledge that the commiffionares of the burrowes had assembled themselues for affaires concerning their estate, and that some nyne or ten ministers had importunelie obteaned entrie and audience of them, and exhorted them not to allow in parlement the Articles of Perth, offering to reade and deliuer to them their supplication and protestation, like to that other given by Mr Andro Duncan to the clarke of register, your maiesties commiffionare, by advise of the counsell, ordained a proclamation to be made, declaring, that vpon knowledge had of the seditious behaiour of some ministers, who, to the scandal of their profession, having left their flockes and due charge, wer come to Edinburgh to stir sedition, and trouble the course, iustlie intendit by your maiestie for the good of the estate and church, therefore they wer all commanded to voyde the towne, and returne to their charge (excepte such as, verifieing to their ordinares the lawfulness and necessitie of their affaires, should obteane their

licence to remayne), vnder the payne of horning and present imprisonment, whiche being published, hath fred the towne and estates of that tumultuous crew. Vpon the 25th, the estates being readie to ryde to the Parlement Houfe, Langton, ingyring himself to take possession of the office of isher to your maiestie, whiche nather he nor any of his predeceffours had inioyed in any living mans memorie, and being first requisted, and thereafter charged, disobying both, wes, for his contempt, sent to the castle of Edinburgh. Immediatlie thereafter, a contention arose betwene the lords Hay and Keith for their priuiledges in keiping and garding the Parlement Houfe, whiche being difficillie fetled, the estates raid to the towbuith, in greate nomber and good order. Being conuened, your maiesties commission wes red, and then the archbishope of St Androis made ane excellent sermon of the honour and obedience due by subiects to princes, of tribute and custome to be payed to them, and exponed wittellie the word *reddite*, ascriving it to due and necessarie payment, and not to giving, adducing the exemple of Christs owne payment of tribute, and his mothers takeing him in his cradle to Jerusaleme, where the whole Jewes wer, by the law of God, commanded yearlie to conuene and pay tribute. He alledged many exemples of the losse and ruine of kingdomes and estates for neglecting to contribute to supplie the warres of their princes, and most notablie the losse of Constantinople and the Impire of the Orient, applying all to the iustice and necessitie of your maiesties present desire, whiche he amplified by all convenient circumstances. Last, he brought handfomelie in, the purpose of the Church Articles, and, amongst other reafons, proponed the acknowledgement conteined in the first Confession of Faith, made after the Reformation, ratified by act of parlement 1567, acknowledging that church discipline and rites, could not be perpetuallie vncheangeable, but wer, vpon good considerations, alterable, and so being indifferent, and the articles now introduced being lawfull and expedient, needed no other warrant but the iudgement of oure king, so religious, wise, learned, and iust, as the world had not seene his equall. After him, spake youre maiesties commissioner, of the charge imposed by youre maiestie vpon him, his sence of his own insufficiencie, and necessitie of his obedience, regrateing that he could not

wourthelie relate your royall directions, with such grace as might proue aunfwerable to the expreffion of your love of this people, whiche wes the only reafon of his imployment. That the parlement wes indieted at the earneft requifte of the nobilitie and counfell, the iuft caufes of your maiefties defire of fupplie notour to the world, not for any ambition vpon your part to encrease the power of your fone in law or his children with other mens eftates; that warre being begune by the people of Bohem, impatient of the heauie yoke impofed vpon their perfones and consciences, and their fubtile and instant introductions of your maiefties fonne in law to vndertake their protection, more rafhelie nor your maieftie either knew, or, after knowledge, allowed; but the progreffe of the vsuall accidents of warre having brought vpon him difadvantages and loffes, whiche, not being remedied, wold tend to his eternall ruine and difherifing of your grandchildren, your maieftie wes forced to contribute greate fowmes for his defence, and of intention to menteane a continowell warre, but to avert his vtter overthrow, till, by your royall care and wifdome, yee might, by mediation and treaty, procure peace and reftitution of his patrimonie, wherein the charges of your ambaffadouris, ordinarie and extraordinarie, fent to the moft part of the princes and eftates of Chriften dome, wer fo greate as could not be duellie confidered by fuch as wer not priue to matters of fuch confequence, not communicable to the vulgar forte, and whill, as your maieftie wes in good hope of fetling that greate warre, yee wer draune vnder new troubles and charges by the warres of the Voltalin, France, and the Low Cuntries, whereof no fetling could be expected but by your maieftie, whom God had indewed with fo extraordinar wifdome, graces, and authoritie, that the Chriftien world acknowledged yow alone for arbiter of their controversies; that the manifef danger of religion in all the parts of Chriften dome did more neirlie touch your religious hairt nor the intereft of your children, feing the world knew that in the matching of your doghter (matchleffe for vertue), your maieftie, vpon confideration of the frailetie of mans life, albeit that your deare fonne then promifed that whiche God hath fince performed in him, by ftrenth of bodie, happines of health, and accomplifhement of all princelie vertues, yet defiring, that yf God fhould appoynte him to die without iffue of his bodie (whiche

God defend), the world might fie that your maiestie did not so much affect the honour of more eminent, powerfull, and wealthie alliance, by hir with papists, who, not seeking money with her, wald, as it wer, haue brybed your maiestie, with infinite treafor, to haue granted to them the honour of your royall alliance, yee, out of meere zeale to religion, had, as it wer, entailed your posteritie to the protection of religion by hir marriage with ane excellent prince of our profession. Therafter he exprest the zeale and forwardnes of oure neighbour cuntrie at full, and speciallie of the Londoners, who had forbiddin feasting, when your maiesties grand-children wold haue beene compelled to faste, yf your naturell and religious bountie had not royallie furnished them all princelie charges, and therefore exhorted the estates, to increase the quantitie of their wointed contributions, according to the importance of the present estate of affaires, rather to stirr vp oure neighbowrs by expression of their affection, nor the value of the summe, assuring them, in your maiesties name, that yf they should at this tyme behaue themselues thankfullie and wourthelie, your maiestie meant not hereafter to trouble them with furnishing more monyes. Last, he recommendit the affaires of the churche, and that they would therein remember the bypast proofes of your excellent knowledge, greate care and trauels for menteaning and promouing religion; the publick testimonies of your admired workes, revered by the learnedest of the world, the malice of the aduerfares preassing to procure your death (whiche God auert), as the heighest of their hopes and desires, for prevailing against all the professours of the truth. He roughlie inveyed against those, who treasonable sclandered your maiestie with intention to introduce all Englishe ceremonies, but speciallie against those, who spoke of papistrie or libertie of conscience, assuring them, that yf they wold abey and confirme the actes already made, your maiestie wald neuer intend any future alteration. He enlarged thir grounds in so good termes, as all the estates acknowledged, how well he had proffited vnder the hands of the best maister in the world. The publick speeches wer concluded by my Lord Chauncellar, whose description of the dignitie of a parlement, and honor of the particulare estates and members therof, in so heigh stile and learned

subſtance, as did exceede the capacitie of many of the vulgar auditors : he cloſed with a pithie exhortation for the contribution and churche affaires. Therafter the Lordis of Articles wer choſen with ſuch dexteritie, that no man wes elected (one onlie excepted), but thoſe who, by a priuat rolle, wer ſeleſted as beſt affected to your maieſties ſervice. A propoſition wes made, conteaning a noveltie annent meiting of all the nobilitie, after the articles wer concluded, to ſitt and conſider of them before they wer ratified by publiſt parlement, whiche wes ſo dexterouſlie vſed, as I hope no harme ſhall enſue. I had almoſt forgottin that your maieſtie having juſtly blamed my errours in the firſt draught I ſent of a letter to haue beene ſent by your maieſtie to the eſtates, and being pleaſed to declare that yee wald cauſe reforme it and ſend it downe, when I perceiued that it had not beene remimbred, and that tyme wold not permitte to ſtay till it might be required and had, I rather tooke boldnes to aduenter to preſent that whairof I ſend herewith the copie, authoriſed by warrant entrufteſt by your maieſtie to your commiſſionare, nor that the parlement ſhould either deſerte or delay too long. Yf it pleaſe God to make me ſo happie as that my coniectural ſtile be no more offenſive to your maieſtie nor it wes to the eſtates, and that your maieſtie may be pleaſed to ſend me an warrant in wret, pardoning that whiche I wes forced to aduenter for the good of your ſervice, I ſhall humblie thank his heauenlie Maieſtie, and alwiſe beſeeche him to graunt your maieſtie all the bliſſings that your royall hart, and the hartie affectiones of your faithfull people beg to yow at his bountifull hands, and reſt

Your Maieſties humbleſt and moſt obliged
of all your faithfull ſeruants,

MELROS

Edinburgh, 26 July 1621.

To the Kingis moſt ſacred Maieſtie.

CCXLII.—KING JAMES VI. TO THE PARLIAMENT OF SCOTLAND

RIGHT reuerend fathers in God, right truſtie and welbeloued cofens and counſellours, right truſtie and welbeloued cofens, and remanent our officers of eſtate, and commiſſioners for the ſmall barones and borrowes of that our kingdome, conueened in our parlement thereof, We greet yow heartelie well. Albeit our inceſſant care to procure and menteane the peace of Chriſtendome, moued ws long to forbeare to giue aſſiſtance to oure ſone in law for defence of the Palitinat, his natiue patrimonie, and birthright of our grand children, till the vnbridled violence and obſtinat malice of the uniuſt inuaders, and the bands impoſed vpon ws by God and nature, hes at laſt forced ws, for ſafetie of religion, keeping faith and dutie to our confederates, and confirming our fame and reputation vnſpotted in the opinion of all vnpartiall nations, to reſolue to ſecure, by iuſt armes, that, which no freindlie entreatie or reaſon could effect. Yet when we began to meditat of the prouiſions requiſit for that royall interpriſe, we conſidered that the meanes and wealth of that our natiue and euer beloued kingdome, ar als far inferiour to the ſtore of other cuntries as their royall affections to ws, and our moſt royall progenitours, hes equaled, if not exceeded, the zeale of any nation of the Chriſtian world, famous for heartie loue and obedience to their naturall princes, and therefore we abſteaned to require aide of any of yow to that chargeable diſſein, till firſt we had eſſaied our good ſubiects of this kingdome, and, by tryall, found the alacritie of their affection and liberalitie beyond our hopes and motions, wherby we wer thereafter induced to write to our nobilitie and counſell there, to let ws know, what voluntar ſupplie might be expected from them, not ſo much for the importance of the ſowme, as to manifeſte to all our people that we meant not to ſurcharge any one nation or eſtate, and to grant vnequall immunitie to others, but to aproue youre zeale to your fellow ſubiects, according to your power. But

finding since, by the answers returned from our nobilitie and counsell, by their letters and humble message, that the course of contribution would be a hinderance to a better and more vniuersall pourpose of generall taxation, the reasons propofed by them, and assurances giuen by thair letters, that they would do about the vttermost of thair powers for encouraging the other estates, by their examples and reasons, to do the like, without exemption or immunitie to any, at this more nor necessarie occasion, hes so well pleased ws as we haue yeelded to their desire of a parlement; and for that effect having assembled yow all, we are to informe yow, that no care, trauell, expence, diligence, or other meane of lawfull treatie, wes omitted by ws for pacifying the querrell of the Palatinat, wherein the effects not answering our laborious endeouours, and equitable intentions, the conioyned interest of religion, state, and dutie, hes constrained ws to embrace our sonne in lawes protection, with the approbation of all iust, wise, and indifferent princes and estates in Europe, who acknowledge, vpon our part, *bellum iustum esse quia necessarium*: And vnles we fould appeir deficient in our duties to God, religion, nature, and to our owne bouelles and faithfull confederates, we can no longer forbear to interpret the recouerie of the patrimonie of our grandchildren, vniustlie vsurped by their ravenous and merciles ennemies, which can not be prosecuted without moneyes, the true sinewes of warre, nor can sufficient store of moneyes be had for menteaning that monster of warre (which keepes no dyet, but is both at first framed, and without intermission must still be fed and fusteaned by the bellie), withowt the liberall subuention of our subiects, louers of their king, cuntrie, and religion. Pouertie hes euer been reproched to that our kingdome, but well refuted, that is, *vitium soli non gentis*; and we know that the foile hes not in our aige furnished fewar meanes of trade and inbringing moneyes, nor this and the immediatlie preceeding yeir, which will disproportion your abilitie from your wishes and good wils. But when we fall remember how God hes made ws his immediat instrument to secure your liues and estates, from the personall butcheris vsuall in your deadlie feedes, the thiftes, spulyies, reifes, fyre raifings, blak males, ranfomes, and all fortes of other extortions and oppreffions, committed or exacted by the Hielandmen,

Bordourars, and others petie tyrants, besides the exorbitant charges for menteaning your hereditarie and almost immortal querrells, your immunitie from your vsuall vexations, and rondes for fetling the Bordours, Hielands, and Isles, and for conferuing peace with your nighbour kingdome, and establisshing vniuerfall peace and iustice, at our exorbitant charges, we ar assured ye will now, at this necessarie and extraordinarie occasion, schow your thankfulnesse, and retribute a competent proportion of that whole, which in effect ye haue receiued of ws, and which, since our accepting the gouvernement on our owne person, ye would haue esteemed to haue been profitable conquised at the price of the greatest part of your whole vaillant. Neither do we think that ye haue forgotten, that, efter a fort of commendable ambition, ye preassed to haue our dearest doghter styled the doughter of Scotland when scho wes married; and if ye weigh things rightlie, we and ye owe infinit thanks to God, who by that worthie doghter hes granted to ws six children, who by the like reason may be challenged to be the grand children of Scotland, four of them being sonnes, and two doghters, so hopefull, as no royall familie in Europe hes participat the like blessing by so young parentis, whereby it hes pleased God more stronglie to vnderprop our sceptor, nor that of our forebears, in many bypast ages, besides the expectation of the continuance and encrease of that high fauour, if with humble and heartie thanks we fall wourthelie acknowledge how much we haue alreadie receiued. These, and manie other necessarie pourposes, we intended to haue more amplie intimated to yow, by our owne mouth, your faithfull obedience and respect to ws, and your ciuile and kynd vsage of the noblemen and all other subiects of this kingdome, of whatfoeuer qualitie, who did attend ws in our last journey to Scotland, having produced effects of so great contentment to ws, and, by their report, to all this nation, as our fauour to yow wes thereby confirmed and (if it could haue receiued addition) encreased, and since that time hes fostered in our heart an earnest desire, without regaird to our panes in that long progresse, to haue seen yow this sommer. But the bands of wonted peace ar so fearfullie schaken in Christendome, and our interest in the affaires of the Palatinat, so important and preffing, that without hinderance of maters of hieft moment, we can not withdraw our preffence

from this place, of best opportunitie for all suddane occasions, and speedie resolutions and directions; but we intend to remedie that by our resort thether next fommer, God willing; and in the meantime, expect vndoubtedly, that ye will let the worlde see, that our absence from your meeting is no lat to your straining your selfis to your vttermost abilitie, for readie help of this godlie and good cause of the Palatinat, and that ye will consider that your contribution for it, can not be mesured by the reule or rate of preceeding taxations, granted neither for respects of magnificence, and schew in solemnities of mariages, baptimes, negociations, or payment of cuntrie debtes, nor for any such inevitable necessitie as the estate of warre, of religion, and recouerie of the patrimonie of our grand children, does now impose vpon yow and ws; but that, according to the condicion of the time and action, ye will liberallie and readelie extend your best helpis without protraction, which, by languering, might exceedingly disappoint the effects of your good intentions, and our most important proiects. We meane not to imploy any part of your beneuolence to any other vse; bot knowing that great numbers of our subiects there, als abundantlie endowed with zeale and courage as they ar destitute of wealth, affecte, by their personall seruice, to redresse their want of meanes for large contribution, we resolve to bestow that which ye furnish, with much more of our owne, for leueing forces in that kingdome, to serue in this good caus. All other maters concerning ws, or the good of our subiects of that our kingdome, will, by our direction, be imparted to yow be our commissioner, and by our chancelar, and other officers having our warrand to that effect, who will also, in our name, consent to any good ouuerture which fall be proponed for the publik benefite of that state, to which, and euerie one of yow, our faithfull and obedient subiects, we wish, and, with our wonted care, fall studie to purchase all happineffe.*

[26 July 1621?]

To the right reuerend fathers in God,
and to our trustie and welbeloued

* This letter, which appears to be the original draught, is holograph of the Earl of Melros.

cofens and confellours, and others,
 our right truſtie and welbeloued
 cofens, and remanent our officers
 of eſtate and commiſſioners for the
 ſmall barones and borrowes of our
 kingdome of Scotland, conueened
 in our parlement therof.

CCXLIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

WEARINES, and ſome pane in my eye, forced me to uſe my
 brothers hand in the letters I wrote yesterday, of that had then paſt in
 maters concerning the parlement. Therefter, the Lords of Articles met,
 and efter reading your maieſties letter to the parlement, and the other
 two which the conuention of the nobilitie and counſell ſent this winter to
 your maieſtie; the taxation wes motioned by your commiſſioner, with ſo
 ample and judicious expreſſion of your maieſties infinit charges, furniſhed
 to the enterteanement of the forces of the princes of the Vnion, verie long,
 and of the armie commanded by Generall Vere, beſide your nauie at
 ſea, and the charges of your children and grand childrens mentenance,
 which enforced vndenyable neceſſitie of ſupplie; they had onlie reaſon
 to conſider what difference wes in the cauſes and nature of this preſent
 action (the event wherof may, in worldlie appeirance, import the preferua-
 tion or ouerthrow of religion in all Europe, and the vphold or perpetuall
 ruine of that moſt auncient, famous, and princelie eſtate of the Palatinat),
 and theſe of former times. This propoſition, ſtrengthened by many rea-
 ſons pertinentlie alledged by the Lord Chancelar, Mar, and others,
 faithfullie diſpoſed to the good of the pourpoſe, efter long and modeſt
 reaſoning, produced ane vniforme reſolution, that a taxation behoued
 to be granted. The nixt queſtion being of the quantitie, my lord of
 Santandrois alledged a precedent of King Dauids ranſom, amounting

to thrie hundreth thoufand merkis, or, as others write, an hundreth thoufand merkis, as likwayes of the fowmes payed for King James the Firft his redemption, which, confidered according to the fcarcetrie of moneyis in that aige, and abundance therof in all the world at this time, might informe ws how great a fowme wes now requifit, for the reafons proponed by my Lord Commiffioner. Then my Lord of Scones opinion being demanded, he roundlie told, that he had his honor, eftate, and whole fortunes of your maieftie, and would beftow them and his life in your maiefties feruice, thinking ten hundreth thoufand merkis a competent fowme, wherof he would readelie pay his part, and what farder your maieftie pleaſed to command. That ſumme being thought exorbitant, I anfuered, that my lord of Santandrois true exemples imported much more; becauſe an hundreth thoufand merkis, in King Dauids dayes, wes an hundreth thoufand merkis weght of filuer, wherof euerie merk weght being eight vneces of filuer, would amount, at thrie pund the vnice, as it now giues, to foure and tuentie hundreth thoufand punds. In end, it wes concluded, that where the greateſt taxation that euer wes before wes four hundreth thoufand merkis, payed in foure yeeres, there fould now be giuen fourè hundreth thoufand pundis, in thrie yeeres; for it is appoynted to be payed at foure Mertimes termes, wherof the firſt will be Mertimes next, and ſo be compleit at that time thrie yeeres. The lords thought it more fit that the aēt fould be conceiued in thir termes, that the pound land holden of your maieftie fould pay threttie ſchillings yeerlie, and the kirk landis, and teinds, and bourrowes, the like proportion; which, in effect, is four hundreth thoufand pundis, nor that the expreſſion of the ſumme fould informe the world of the ſmalneſſe of our meanes, when they ar racked to extremitie.

The next article wes anent the taxation of anvelrents, wherein the noueltie bred difficultie, and the intereſt the commiſſioners of burrowes, and others, ſtriēt oppoſition. But becauſe I knew much of their eftate, and of the nature of that courſe which my ſelf, amongs others, haue long exerciſed with benefit, I preaſſed to detect the ſecret of their pretextes; and after great altercation, reither then reaſoning, it wes concluded that

all anelrents fould pay taxt, without immunitie of any estate or perfon. The meanes of tryel, quantitie, and termes of payment, reft to be confidered. The good fucceffe of what hes paff, makes us to hope for the like in that which reftis concerning the Churche Articles. I pray God I may haue speedie occafion to fend your maieftie contented aduertifment therof, and that he may be pleased to bleffe and long preferue your facred perfon, and prosper your affaires. I reft

Your Maiefties moft humble, faithfull, and bund
feruant and fubiect,

MELROS.

Edinburgh, 27 July [1621?]

To the Kings moft facred Maieftie.

CCXLIV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

MY letters of the 26 and 27 of July, haue informed your maieftie of things done at that time in parlement. Therefter the Church Articles wer allowed by the Lords of Articles with good vniformitie. Since that time, ther hes not arrifin any great controuerfie in the houle for maters of moment; the articles proponed, either being found profitable for the cuntrie, or, if they concerned particular parties, they wer lauffullie concluded, efter hearing of the parties intereffed. Onelie the taxation of the anelrents hes been much impugned by the burgeffis and fome fmall barons, vpon pretexte of the harme which they may fuffer in their credit, if their debtis fall be vnneceffarlie difcouered, who haue been anfuered with cleer

and iust reafons ; but they ftill perfift in thair oppofition, albeit with more modeftie then others, who not being of the articles, and having craued permiffion to conveen, to prepaire motions to be proponed to the articles, haue converted the fauour obteaned vpon that fpecious pretexte, to a meeting of noblemen and barons, who ar reported to haue dealt fo paffionatlíe aganis the confirmation of the church articles, and the taxation of anvelrents, that your maiefties commiffioner wes forced to difcharge the abufed libertie of their affembling, and, fince that time, hes been forced to take fo continuall trauell to diffolue their combination, and, by the affiftance of all his freinds dulie affected to your maiefties feruice, to conuert them to their dutie, as hes permitted fmall time of reft or fleep to him. He inclyned to haue caufed punifh fome of the moft avowedlie malicious; but the errour being almoft popular, he wes counfelled to forbear offenfíue rigour, and to ftudie to calme and reclame them by more mylde meanes, and is in hope to prevaile fo with a number of them, that they fall either ftay and concur in your maiefties feruice, or abfente them felues, and fo do no harme. The reft who fall be found irrecouerablelie malicious, will be made knowne to your maieftie, who may and can beft judge of their merite. I can promife no farder as yet, bot good hope, with affurance of more paynes, patience, and wifdome in your maiefties commiffioner, faithfullie affifted by fome of your maiefties feruants, nor could haue been beleueed. God, who hes euer directed your maiefties iufte intentions to wifhed end, will ouercome the malice of this oppofition, to your maiefties contentment, which I pray his heavenlie Maieftie long to grant in all your royall affaires, and reft

Your Maiefties moft humble and bund feruant,

MELROS.

Edinburgh, 2 Auguft [1621 ?]

To the Kingis moft facred Maieftie.

CCXLV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING wretin my other letter vpon the second of August in the morning, this is to rander your maiestie accompt of what is senfyne done in Articles. That day your commiffioner, at fyue a klok in the morning, began his consultation with the Archbifchop of Santandrois, Lord Carnegie, Clerk of Regifter, Deane of Winchefter, and me, by what freinds meanes he might either reconquer the opposites who had vote in parlement, or perfuade or compell them by lawfull order to be absent; and according to our joynt opinions, put all his freinds to work where their credit might best preuaile, and then entred to the articles at ten a klok, and remaining till eight at night, difpatched fo manie affaires, iust of themfelues, and gracious to the people, as ferued for powerfull inducements to diuers of each estate to fauour his desires for your maiesties seruice. We ar in good hope to obteane the Church Articles ratified with the ordinar taxation. Our greateft dowl is of the taxation of anvelrents, which manie abhorre as a noueltie, and a difcouerie of their miserie, and ouerthrow of their credit. For preuenting of which disturbance, vpon the second at night, a meeting of the articles wes appointed to be vpon the thrid, at feuin in the morning, to confider of the best expedient, inclyn- ing reither to difpenfe with the extremitie, that thereby we may obteane a preparatiue of ane aide, wanting all preceeding exemple, and a diuerfion of opposition to the Church Articles (which we thinke more important nor the ods of a trifle of that fubfidie), nor by infifting vpon a verie small difference in a money mater, to trouble or ouerthrow a better bufines. What fall be refolued fall be speedelie fubioyned to thir lynes.

Since the wryting of what preceeds, the Lords of Articles haue this morning met and peaceable concluded. Extreame diligence will be vfed to fet all men right. The event must be remitted to God, in whoes af-

fiſtance we confide, and beſeech him to bleſſe this buſines, and all your royall deſires, and reſt

Your Maieſties moſt humble, faithfull, and obedient
ſubieſt and ſeruant,

MELROS.

Edinburgh, 3 Auguſt 1621.

Your Maieſties commiſſioner expects that his diligence in well doing will excuſe his not wryting, which is alwayes naturell to him, and now neceſſar.

CCXLVI.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

YOUR maieſties parlement of this your kingdome is this efternone happelie concluded. The church actes had oppoſition, but the well affected prevailed by fevin and tuentie votes, albeit we wer exceedinglie diſapoynted by the treacherie of ſome ſmall borrowes, who violated their promiſes, and wer recompensed by your Commiſſioners reſuſing to authoriſe their actes and ratifications. In the act of the taxation, at firſt their kythed ſome danger by the voices of lords who granted the ordinar taxation, and reſuſed the taxation of anvelrents; but my Lord Commiſſioner preaſſing them to giue anſuer directlie, that they either granted or reſuſed the act of taxation, ſince it wes onlie one act, the reſt became eſchamed to reſuſe, ſo as the oppoſites to that act wer ſcarce ten, as the Clerk of Regiſters incloſed ticket will teſtifie. Other lawes and privat actes paſt withowt contradicſion. The concluſion wes by a ſpeech of your maieſties Commiſſioner, renewing the aſſurances of your maieſties conſtant fauour

to this nation, your zeale to the defense of pure religion, your earnest desire to releue your people of the burdings, to protect them from violence, to introduce all exemples and effects of pietie and iustice amongs them, to increasse trade and commerce, and to exempt them from the greif of the panes of bypast transgressions of statutes imposing pecuniall panes. Which, being a most acceptable fairewell to the whole estates, wes met with the heartie wises of all the people for your maiesties long and prosperous lyfe. I must not forget the Commissioners scharp censure of such as had abused the toleration of privat meetings of the estates, with aduertisment that the like would not heerefter be suffered. The particular accompt will be more amplie giuen by larger letters, and by the Deane of Winchester and Lord of Scone, who, so soone as the articles for the church and taxation wer ended, they went to their horse, and will relate all particulars, and euerie mans behauour. I may trulie affirme theirs to haue been exceeding faithfull and fordwart, and that your maiesties Commissioner, by his obseruing your excellent instructions, hes effected the wises of your faithfull seruants, and ouercome the busie malice and subtiltie of the aduersars; which I must ascryue to the happines of your royall courses, so well grounded vpon wisdome and iustice, as they can not want succeffe. I haue thoght it would be more agreable to your maiestie to know this trueth abruptlie, nor ane more exact report more flowlie; and praying for the like prosperitie in all your royall affaires, I rest

Your Maiesties most humble and most obedient
subiect and seruand,

MELROS.

Edinburgh, 4 August 1621.

To the Kings most sacred Maiestie.

CCXLVII.—EARL OF MELROS TO JAMES DOUGLAS.

LOVING FREIND,

I RECEIVED your packet of the second, and deliuered his maiesties letters speedelie. I can not discerne wheter the Marquis of Hamilton be more carefull and diligent in action, or slow in wryting to his maiestie: for as I know that he hes caused seek the Lord Vchiltrie in this towne, and missing him, fend for him to Salton in great haste, and in the meantime spak with the Lord Chancelar, Clerk of Register, and Aduocat, anent the commissiion directed by his maiestie, to be formed for tryall of his informations, and commanded the custumars to be readie to be examined at the Lord Ochiltres cuming heir, and lykwayes found, by examination of Sir Patrik Murray, that his father had made no conveyance of anie of his lands. So I suspect, that he may so neglect to write of thir things to his maiestie, that the perfite report fall, by his slewth of writing, be delayed till his owne going to court.

The Chancelar caused reade his maiesties letter to the Counsell, anent the Earle of Cathnes, and called before them Robert Monro, who insists in the perfute for his brother Lindfayes slaughter, with whoes consent, Maister Thomas Hope, who deales for the Earle of Cathnes, was called, and to him wes intimated, that vnles the Earle fould find sufficient caution, for his compeirance before the 18 of September next, the commissiion fould be directed with all rigour; but if he found caution, he fould haue protection for all other causes, ciuill and criminall, whill he had abiddin his tryall of that slaughter. For John Auchmouties complanit, Maister Williame Chalmers, his freind and agent, wes called before the Counsell, to haue giuen information to the Aduocat, who, excusing him self, and desiring that it might be requyred of Maister Auchmouties ladie, he wes

commanded to receiue his information, and giue it to his Maiesties Ad-uocat, that letters might be raifed to the next meeting of the Counfell, which is appointed the 29 of this moneth.

John Stewart hes requeasted me to pray yow to caufe signifie to his maiestie, that he is agried with the Countesse, of him wheirin he hes choifin reither to take losse, nor to be vnnecessarlie troublesome to his maiestie. If it fall please God, that the continowance of that happie quyetnes, which we inioy by his gracious gouernement, fall deny ws subiect of wryting this vacance, I hope my vnfrequent wryting, or not wryting at all, fall be excused. The commiffion aganis Alane Makildowie is exped to the Lord Gordon. So, wishing yow all happines, I rest

Your assured freind,

MELROS.

Edinburgh, 8 August 1621.

To my verie assured freind James
Douglas, attending his Maiestie
for dispatche of Scottis Affaires.

CCXLVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

IN the roll of the iusticeis of peace of the shirefdome of Selkirk, laitlie fend vp to youre maiestie, youre maiestie hes bene pleasit to designne and point out the Goodeman of Harden, to be schireff of that schirefdome for the yeir to come; and he being writtin for to compeir

and accept the office vpoun him, he, inrespect of his aige, infirmitie, and feiknes, compeirit be his eldest sone, who excusit his fader as being altogidder vnmeete and vnhable for that charge; first, be reffoun of his aige and feiknes, he being past lxxij yeires of aige; nixt, becaus he can nouthir write nor reid; and last, becaufe he is not a resident within that sherifdome, bot hes his residence and duelling in Teviotdaill. Thir being reffonis sufficient to exeme him frome that charge, we haif heirwith send vp vnto youre maiestie, the roll of the iusticeis of peace of the said schirefdome, to the effect youre maiestie may mak choise of some other persone to be schireff.

Thair wes a petitioun this day exhibite vnto youre maiesteis Counsaill, in name of Maister Alexander Simfoun and Maister Andro Duncane, ministeris, who, the tyme of the laite parliament, wer send prisonnaris to the castell of Dunbartane, excuseing thame selffis anent the caufs quhairfoir thay wer committit, and humelie craving thair libertie, inrespect of thair pouirtie and want of meanes to interteny thame selffis. And althocht thay ar knowne to be bot poore men, yitt the Counsaill wald nowayes medle with thair libertie without youre maiesteis directioun and allowance. And quheneuir your maiestie salbe pleased to gif signification of your will and pleasour towards thame, ordour salbe tane with thame accordinglie. And so, praying the Almighty God to blisse youre maiestie with mony lang and happie yeiris, we rest

Yourre Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELL^s.
MELROS.
W. OLIPHANT.

Edinburgh, 29 August 1621.

To the King his most sacred and
excellent Maiestie.

CCXLIX.—EARL OF MELROS TO JOHN MURRAY.

SIR,

THE notoriety of your kind respect to such requests as I have formerly made to you, makes my friends, who have to do instant with me, to recommend them to you, and my duty to them, permits me not to refuse it. I can not intercede for a kinder man nor the bearer hereof, my cousin, Sir John Scot, whose lawful affairs I will pray you to assist, and will assure you, ye can not oblige a more thankful man. So, wishing you all happiness, I rest

Your ever obedient friend,

MELROS.

Edinburgh, 3 October [1621 ?]

To the right worshipfull John
Murray of Lochmaben, one of
his Majesties Bedchamber, at
Court.

CCL.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOVERAINE,

THAIR was a petition exhibite this day to your majesties coun-
saill, in the name of Maister Robert Bruce, minister, humble craving
relief from his present ward, for the reasons specified in his petition;
quhilkis, in effect, are the same that he deliverit be way of answer the last

day, quhen he wes broght befor the counsell, and wardit for transcending the limites of his confyneing. And becaus the mater for quhilk he is wardit concernis youre maiesteis self, as ane offence and contempt done be him in breking of his warde without a warrand, the counsaill wald no-way medle with his enlargement and releif, without youre maiesteis directioun and allowance, bot hes heirwith fend vp his petitioun vnto your maiestie, that, after confideratioun thairof, youre maiestie may gif suche directioun thairanent as youre maiestie fall think goode; and vpoun the returne of your maiesteis will and pleafour towards him, ordour falbe tane accordinglie. And so, praying the Almightye God to blisse youre maiestie with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedyent
subiectis and feruitouris,

AL. CANCELL^s.

MELROS.

W. OLIPHANT.

Edinburgh, 10 October 1621.

To the King his most sacred and
excellent Maiestie.

CCLI.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

SINCE my wryting to yow vpon the 19, I haue receiued yours of the 15 and 22 of this moneth. For anfuer to both, please yow know that the counsell hes tryed the mater betuix Robert Makbrare and John Corfan, and found that a tumult being begun wher John Corfane wes, in gret passion; Robert hearing the fray, returned to pacifie it, bot that in an

throng, vpon suddantie and mistaking the harme, wes done to the parties on all fydes, which, praised be God, is not great. It appeares that some offensiue wourds, vttered not long before, had bred some vnkyndnes amongs them; and John Corfan hes bene found not to haue proceeded so dewtifulle in his office as became him, and, partlie for that respect, and partlie for Roberts satisfackion, he is committed to warde, bot will not be long deteaned. Treulie he hes not borne that respect to Robert which became him. It kythes that the towne of Drumfreis cairies their olde respect to the name of Maxuell, and that they affect the towne, and will be readie to protect them.

Before I receiued yours of the 22, I had one from my Lord Maxuell, declairing, in few wourds, that he meant not to quyte to yow the lands in question; and, hauing referred credit to his bearer, he declared, that if your owine money, giuen for these lands, might be accepted, that their might be hope of appoyntment, with excuse of his refusing to refer the mater to me.

Where yee desire to know what speaches passed betuix the Lord Maxuell and me in that mater, I remember not of anie particular, bot what I wrait to yow, from tyme to tyme, nor of anie conference with anie other theranent, except with my Lord Sanquhar and Maister Thomas Hope; bot suspect that the Lord Maxuell hes lyked the worfe of my melling, because I did not approue the long delayes of production of his writtis, which he pretended he could not find, and that he had no hope, vnles he recouered them fra the Erle of Dumbars doghter, or Sir George Home, who wer found, in end, to haue few that could ferue him, so far as I could learne, and wrait to yow; and when I told that the manie delayes wald force yow to persew for improbation of his writtis, he said he wald not offend at it, bot wold vse all the defences law could affourd. He wrytes to me, that I know how he hes bene vfed in that mater; bot if I wer sworne in it, I could not say bot yee had both foght him, and abiddin his laifer verie freindlie, and that your self wes disposed, and your freinds aduyfed yow, to do all that yee could to agrie the controuerfie, reither by mediation of freinds, if it could be, nor otherwayes; bot I beleue that he means that the lands being taken vpon forfaitour by the Erle of Dumbar, that

he fould not haue boght them. This is onlie my coniecture, because I can not conceiue what other complaint he hes of your vfage. I know yee will not alter your intention to do reason in the bufines, if he be difpofed to accept it; and fo wifhes all your freinds. Maifter Thomas Hopes opinion in that mater is fullelie fignified to yow by his owne letter.

My Lord Sanquhar wrait to me of his bufines, which yee recommend. I fall do in it what I can in reason; and fo, with my beft wifhes for happines in all your affaires, I reft

Your moft affectionat freind to be commanded,

MELROS.

Edinburgh, 28 Oct. [1621?]

I delay the clofing of the packet, till I fie what may this day be done in your Irifh commiffion.

Their is none of your Irifh witneffis yet come, bot Lochinvar's fone, and fo the examination will delay till we fie if others cum or no, wherof yee fall know by the nixt packet.

To the right wourfchipfull John
Murray of Lochmaben, one
of his Maiefties Bedchamber,
at Court.

CCLII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaut your maiefteis lettre of the nyneteene of this instant, by the whilk your maieftie hes bene gratiouflie pleafit to mak

choife of ws, to haif the charge and directioun of your most weyghtie affairis occurring in this kingdome, quhairin, as with all submissiue reuerence, we acknoulege your maiesteis fauour, and the confidence your maiestie repoiseth in oure fidelitie to go far beyond ony wourthe that is in ws, and to be more then oure seruiceis can be able to deserve; so we falbe cairfull, by the vttermoſt of oure indevoiris, and in all loyall affectioun, to approve oure selffis anfuerable to your maiesteis hoipis and expectatioun, and by oure cair, diligence, and best resolutionis, to gif vnto your maiestie contentment, in this charge concredite vnto ws.

At oure meeting and conference vpoun this subiect, thair come three other lettres frome your maiestie to oure handis of this fame dait; the first concerning the motioun maid vnto your maiestie, for supeſeiding the executioun of the act of parliament maid aganis superfluous banquetting and apparrell, vpoun pretexte of the diminutioun of your maiesteis customes; the secund concerning the offer maid vnto your maiestie, on behalf of the toun of Edinburgh, for thair extraordinair taxatioun vpoun the annuelrentis: and the thrid and last lettre towcheing the collectoris of this present taxatioun, quhairin your maiestie hes declairit your will, that it fall not be bestowed vpoun ony persone, as a mater of benefeit or rewarde for seruice. Off the quhilkis three missives, we remember that the first and secund hes beene alreddie in some foirt anfuerit; for your maiestie haueing, by twa formair lettres of the 12 of October last, recommendit vnto your counsell the consideratioun of these tua particularis anent the banquetting and apparrell, it wes vpoun the first of this moneth confidderit in counsell, that the wyfest fort of the whole subiectis greeving vehementlie, at the vniuerfall harme proceeding of the superfluitie of bothe, and eirnistlie desiring the restreant thair of, reſſaued meruellous contentment quhen thay saw that article warranted by youre sacred hand, whilk gaif libertie to the esteatis of parliament to aduyſe and resolue vpoun the most expedient redresse. Who having selected some of the best experienced of euerie estate to confidder of the particularis, thair opinioun wes so hairtelie approued, bothe in articlis and publict parliament, that it wes thoght to be one of the most pouerfull inducementis to procure so free and hairtie consent to the grite ſowme of the

ordinair taxatioun, and to gif way to the novaltie of the taxatioun of annuallrentis, thinking that the forbearance of waste vsed of befoir vpoun superfluous apparrell and banqueting, fould inable the subiectis to gif the more abundant supplee to your maiesteis affairis. And now, yf the priuat fute of couetous marcheantis, preferring thair iniust gayne to the publict benefeit, fould, by importunitie or fals suggestionis, procure the subiectis to be defraudit of the effect of that course, whilk, by your maiesteis royall fauours, wes setled for the cuntreyis goode, it might occasioun a grittar greif to the subiectis, nor the pretendit interest of the trade, and of the customes formarlie payed to youre maiestie for goodis of that fort could counteruale; since no bipast diligence of the customaris and searcheours could impede the craft of the marcheantis concealing of these paments of gold, siluer, and silk, and otheris small wairis of that kynd, and by tryell of the custume ressaued for all these fortis of wairis, the fowme of youre maiesteis custume being fund by ws not to exceid the fowme of ij^m lib. Scottis, the commodityis whilkis may be imported with the stok, whilk wes formarlie bestowed vpoun pasmentis and other suche marchandise, will, in our opinioun, equall that quantitie of custume vsed to be payit for that, whilk is now prohibite; so as we can foirfie no preiudice to your maiestie in allowance and executioun of the act of parliament, and reiecting the marcheantis partiall fute.

And towcheing the agreement with the toun of Edinburgh, for thair taxatioun, that mater, vpoun the directioun of your maiesteis first lettre, wes fatled and putt to a pointe vpoun the 22 of this instant, and we haif aggreit with thame, for fourtie thowfand pundis in satisfactioun of thair whole taxatioun, ordinair and extraordinair, to be payit at the foure termes of the taxatioun; towitt, ten thowfand pundis at euerie terme, quhilk fowme being conferrit with the ordinair taxatioun of the said burgh, extending to foure thowfand, sevin hundreth lxxxxj lib. termelie, will amount to more nor the double of the said ordinair, and will anfuer in proportion to a stok of aboue aughtene hundreth thowfand merkis, whilk is more, nor in oure opinioun, wald haif come to light within the said burgh.

And towcheing your maiesteis last lettre, for the collectorie of the taxatioun, your maiestie hes alreddy maid choife of the Erle of Mar for that

charge, whose patent is expd youre preuie feale, and he is to supplee that seruice frelie, without ony fee for his trauellis. The nominatioun of the vnder collectouris, who ar to be employed to charge for the taxatioun, apperteyneth to the principall collectour, seeing he must be ansuerable for thame, and he hes employed nane, bot these that wer employed in the preceding taxationis, and vpoun these same conditionis and allowanceis, to witt, xijd of the pund ; quhairof, yf, after confideratioun and heiring of the comptis, ony defeafance falbe thoght necessair to be maid, and that ony superplus shall appeir to aryfe, the same shall accrefce vnto your maiestie ; and we falbe verie circomespect and cairfull, that, at the making of the saidis comptis, no vnnecessair, idill, nor superfluous allowanceis falbe admittit.

This being the effect and substance of oure proceedingis in thir three particularis, we humelie present the same to youre maiesteis confideratioun, and will humelie beseeche your maiestie to accept the same in goode pairt, as proceeding frome suche groundis and warrandis as, in oure opinioun, tendis most to your maiesteis honnour and benefeit, and weele of the cuntrey. And so, praying the Almightye God to wathe ouer youre sacred persone, and to blisse your maiesteis reignn with the continewance of mony lang and happie yeiris, we rest for ever

Your Maiesteis most humble and obedyent
subiectis and seruitouris,

AL. CANCELLS.
MELROS.
A. MAR.
SANCTANDREWS.
LAUDERDAILL.

MORTON.
NITHISDAILL.
CARNEGIE.
W. OLIPHANT.
GEORGE HAY.

Edinburgh, 29 Nouember 1621.

To the King his most sacred and
excellent Maiestie.

CCLIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AT ane meeting and conference whilk we had this day, anent youre maieftis rentis, thair wes ane propositioun maid vnto ws, in name of the citie of Glasgu, that thay might be hard to mak ane offer for the taxation of the annuelrentis within that citie; and it is lyke aneugh that some otheris townis, following the example of Edinburgh, will tak this same course. In whilk pointe, becaus we had not commiffioun nor warrant frome youre maiestie to deale, we forboore to medle thairwith, and we haif delayit the geving answer thairvnto, till we understand youre maieftis awne will and pleafour thairanent, whilk we will humelie beseeke youre maiestie to returne vnto ws at youre maieftis best oportunitie; and yf youre maiestie shalbe pleased to allow of this course to be tane with Glasgu, and with suche otheris townis as shall mak suite for the lyke, we shalbe verie circumspect and cairfull so to deale thairin as shalbe most for youre maieftis commoditie and proffit. And so, continewing our humble and earnest prayeris vnto God for youre maieftis lang and happy reigne, we rest

Your Maieftis most humble and obedyent
subiectis and seruitouris,

AL. CANCELLS.

A. MAR.

NITHISDAILL.

MELROS.

LAUDERDAILL.

CARNEGIE.

J. HAMILTON.

W. OLIPHANT.

GEORGE HAY.

Edinburgh, the fixt of December 1621.

To the King his most sacred and
excellent Maiestie.

CCLIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieftie's lettre, with the petitioun preferrit vnto youre maieftie, be Robert Monteith of Eglifhaw, towcheing the offer maid be him to your maieftie, for a leafe of your maieftie's rentis and casualtyis of Orknay and Yetland, for fome certane yeiris, and we haif lykewayes hard him felf, and hes conferrit with him vpoun this fubiect, wherby we perfaue that the reffoun pretendit be him for making fuite, is groundit vpoun ane debt of fourty thowfand pundis, alledgeit awand to him be the laite Erle of Orknay, whilk he offeris to difcharge to youre maieftie, and with that to gif vnto your maieftie fourty thowfand merkis of free rent be yeir; wherin, althoght fome shoue of reffoun wald appeir for preferring of him to this fuite, yitt thair is findrie circomeftanceis concurring thairwith, and depending thairon, alfweele importing your maieftie's proffeit as the goode of the cuntry, whilkis, being weele confiderit, will require a choife to be maid of fome other perfone. For firft, refpect muft be had to the qualitie of the perfone that falbe preferrit, that no juft exceptioun be tane aganis him be the cuntry people, vpoun occaſioun of ony jarris or discontentmentis betuix thame, becaus he muft be your maieftie's ſchireff and judge of the cuntry, and in that refpect wald be free of fuche quarellis and contrauerſes, that, vnder the ſhadow of youre maieftie's auctoritie, he corrupt not judgement, nor abuſe your maieftie's auctoritie to his awne priuat endis; and of this point we knowe the ſaid Robert can not cleir him felf. And anent the debt acclaimed be him, the natur of that debt, and vpoun quhat ground he hes buildit and fett vp this grite ſowme, hes not bene examined be ws. It appeiris, be his diſcourſe, that the moſt pairt hes growne vpoun ciuile actionis of ſpoolyee, eiection, violent proffit, and contrauentionis recouerit aganis the ſaid erle: and we ar in goode hoip that, after dew tryall and examinatioun of the particularis, we ſhall bring this maſſe of money to ane lower end. Sua, that, in oure opinioun, thair is no reaſoun, vpoun pretext of this debt, to gif him

ony defalcation of your maieſteis dewitie, bot to remitt him to the courſe of law, wherein he may expect iuſtice accordinglie. And yf your maieſtie fall tak the payment of this debt vpoun yow, the example thair of will draw vpoun your maieſtie the burdyne of ane infinite number of otheris debtis of this kynd, more dew to be payit nor his. The laſt point to be confiderit is your maieſteis commoditie, quhairin thair is ane offer of fourtie fyve thouſand merkis maid vnto ws, in name of Sir Johnne Buquhannane, whilk offer, conioyned with the honnour and diſpoſitioun of the man, who is knowne to be peaceable diſpoſit, and weele loued in the cuntrey, and who wilbe aſſiſted with the hairty wiſhes of all the cuntrey people to haif him deſignit for this place, makis ws rather inclyne to him nor the other; and the rather becaus he is reſponſall, and offeris goode caution for yeirlye payment of his dewitie, and to accept his tak with condition of claſſes irritant. Bot heirin ſubmitting our ſelffis to your maieſteis awne pleaſour, quhairunto we ſhall conforme our ſelffis; and, in the meantyme, quhill the retorne thair of, whilk we humelie wiſhe to be ſo ſoone as your maieſteis more weyghtie adois will permitt, we fall not be negligent to draw this rent and dewitie, als far heighair as poſſibillie we may. We pray God to watche ouer your ſacred perſone, and to bliſſe youre maieſtie with mony lang and happie yeiris, and we reſt for euer

Youre Maieſteis moſt humble and obedient
ſubieſtis and ſeruitouris,

AL. CANCELL^s.
MELROS.
A. MAR.
GEORGE HAY.
W. OLIPHANT.

Edinburgh, xij December 1621.

To the King his moſt ſacred and excellent
Maieſtie.

CCLV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes ane signatour vnder your maiesteis hand presented to be exped be ws, contening a gift of pensioun of three thowfand and sax hundreth pundis Scottis to the Lord Kinclevin, his airis, and assignayis, with speciall assignatioun, to be payit oute of your maiesteis rentis of Orknay and Zetland; whairin, althocht we acknouledge your maiesteis fauour and bontie to that nobilman, whilk we ar verie willing to further, so far as the credite and dewitie of oure placeis will allow; yitt, we mon crave permissioun humelie to present vnto youre maiestie oure simple opinionis concerning this signatour in the forme and tennour as it is confaued and drawne vp. And first, it can not stand with forme nor ordour, nather can it be warrandit by custome or example, that pensionis falbe gifted indefinitlie without limit or terme, to airis and assignayis, and no precedent can be showne in the lyke caise, whairupoun ony warrand may be pretendit for this signatour: nixt, it is not expedyent that assignationis falbe gevin oute of your maiesteis propirtie; and most vnfitt, for mony considerationis, that your maiesteis propirtie of Orknay and Zetland falbe burdynnit that way, becaus the consequence and example thairof in the generall may produce mutche harme, and in proces of tyme will draw your maiesteis annex propirtie to a verie small accompt; and yf way falbe gevin vnto thame, your maiestie wilbe continuallie impefhed for grantis of that kynd, and your maiesteis whole propirtie, whairupoun the burdyne of the affairis and estate of this kingdome dependis, wilbe eatin vp, and yf ony intervening occasioun, importing your maiestie in honnour and credite, shall occur heir, all laughfull and ordinair meanis to advance the fame wilbe cutt of. And thairfoir, seeing youre maiestie is gratiouflic disposit to benefeit that nobilman with a pensioun, oure humble aduise vnto youre maiestie is, that he haif it to him selff for a limit and sett tyme,

to be payit oute of youre maiesteis rentis and casualityis, without ony particulier assignatioun for his payment; and, in so doing, the ordour and natur of fuche giftis wilbe preferuit, and the nobilman may expect als fauourable payment as the importance of your maiesteis weyghtie affairis will permitt. And so, humelie craving your maiesteis pardoun for this oure presumptioun, being drawne thairinto for discharge of oure dewyteis in the credite and truist your maiestie repois in ws, we pray God to blisse your maiestie with a lang and happie reigne, and restis

Youre Maiesteis most humble and obedient
subiectis and feruitouris,

AL. CANCELL^s.
MELROS.
A. MAR.
GEORGE HAY.
W. OLIPHANT.

Edinburgh, 13 December 1621.

To the King his most sacred and
excellent Maiestie.

CCLVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maiesteis lettre, by the whilk youre maiestie hes recommendit vnto ws the tryeing and pvnisheing of fuche personis, who, contrarie to youre maiesteis lawis, hes transportit gold and siluer furthe of this kingdome, by imposing of fynes and penaltyis vpoun thame, anfuerable to the natur and qualitie of thair offenses; quhilkis fynes youre maiestie, by the tennour of the said lettre, hes bestowit vpoun Sir George

Bruce, and hes ordanit ane signatour to be exped to him thairupoun. As we ackowlege, with all deu respect, youre maiesteis fauouris to that gentleman, whose mony goode seruiceis done to youre maiestie, and whose generous dispositioun and constant resolutioun in the prosequitioun and following oute of mony worthie and profitablie workis in this kingdome, hes deserued some toikine of youre maiesties princelie remembrance, wherunto we falbe so far assisting, as the credite and dewitie of oure placeis will allow; yitt, the trust that youre maiestie hes repoised of youre affairs in ws, oblißes ws to foirsee youre maiestie with the inconuenientis that we find in the forme and nature of the signatour, as it is generallie ordanit to be exped; not that we will thairby prefoome to interrupt the course of youre maiesteis fauour to that gentleman, bot that we may vindicat oure selffis frome the imputatioun of vndeutifull seruandis, in not opposing aganis formes whilkis ar not allowable in youre maiesteis exchekquer. For it can not stand with the order of the exchekquer, that giftis or assignationis of youre maiesteis casualityis falbe past in this kynd, seeing thairby not onlie will grite confusioun aryise in the office of thesaurarie, bot a way wilbe oppynnit to mony importune suitaris to impeshe youre maiestie with thair petitionis of this kynd, and swa, in proces of tyme, the office of thesaurarie wilbe so rent and dismemberit, as it will become ane office onlie in name and showe, without mater or substance. We mon confes, that the transporte of moneyis hes beene, and is too frequent and cominoun in this kingdome; bot the shiftis and subtiltyis of the marcheantis to frustrat and disapoint the discouerie ar sa mony, and so difficle to be obuait, as hardlie can the abuse be repressit or pvnishit: And for remeid heiroy, we ar to tak this course, that we will imploy the said Sir George, and imploy his meanes and help for discouerie of the offenderis; and we ar in goode hoip that his cair and diligence, conioyned with the expectatioun of gayne, falbe be ane grite furtherance and advancement of the bußynes, quhairin we fall so far proceid aganis the delinquentis, bothe by imposing of fynes, and pvnisheing of thame in thair personis, as the course of justice will allow; and quhat fall aryise to youre maiestie thairupoun, youre maiestie may dispoise vpoun the same, in whole or in part, to the said Sir George, as youre maiestie shall think goode.

And quhairas it is liklie that some townis will mak offer to compone in groffe for thair townis, without bringing of the offendaris to a publict tryall, we wald humelie knowe youre maiesteis will and pleasour, yf we fhall aggree with thame in this kynd; quhairof lookeing to be aduerteist be youre maiestie, how foone youre maiesteis more weyghtie affairis will permitt, we most humelie tak our leeve, with our eirnist prayers vnto God for the long continewance of youre maiesteis bliffed reigne over ws, and we rest for ever

Your Maiesteis most humble and obedyent
subiectis and feruitouris,

AL. CANCELL^s.
MELROS.
A. MAR.

GEORGE HAY.
W. OLIPHANT.

Edinburgh, 20 December 1621.

To the King his most sacred and
excellent Maiestie.

CCLVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes this day a petitioun gevin to youre maiesteis counfaill, be Maister Robert Bruce, humelie craving some ease and releiff in that directioun, and charge gevin to him for his confyneing within the burgh of Inuernes, in respect of the indispositioun and inhabilitie of his persone, and of his grit aige and infirmiteis, quhilkis are incident to aige, quhair-with, as he alledgeis, he is so far worne, and become so feeble and waik, as hardlie may he travell ony quhair; and he offeris to be confynned in his awne houe, and twa myllis aboute the same, and never to transcend the boundis thair of, without youre maiesteis warrand, as more particularlie

your maiestie will perforce, be his petitioun, whilk we haif heirwith fend vnto your maiestie. Bot becaus the directioun and warrand for his confyneing in Inuernes, proceidit frome your maiestie, we wald not prefoome to medle thairwith, without your maiesteis allowance. Onlie this far, we ar to shoue vnto your maiestie, that, be the sight we had of him these twa dayis he wes broght befor the counsell, we knowe him to be a far decayed and worne man, not able, by probable coniectour and appeirance, to live lang; and we ar credibillie informed that his worldlie estate is verie waik, althocht he hes concealed the same in his petitioun, and that he hes nane of his awne to tak the charge thair of; swa that his confyneing so far frome his awne house, and frome attendance on his awne affairis, will altogidder vndoe him. We write not this as ane motiue and argument to pleade for fauour vnto him, bot onlie to latt your maiestie knowe quhat we apprehend anent the dispositioun of his persone, and quhat we heir anent his wardlie estate and fortunis. Remitting the confideratioun, bothe of the one and the other, to your maiesteis most pious, grave, and princelie resolutioun, whilk your maiestie wilbe pleased to caus be returnit vnto ws, quhen the importance of your maiesteis more weyghtie affairis may afford the occasioun. And so, with our vnceffant prayeris vnto God for your maiesties lang lyffe, happie reigne, and prosperous estate, we rest

Youre Maiesteis most humble and obedient
subiectis and seruitouris,

AL. CANCELLS.
MELROS.
ABERDENE.
LAUDERDAILL.
AL. ELPHINSTON.

WEMIS.
GEORGE HAY.
W. OLIPHANT.
R. COKBURNE.
ARCHIBALD NAPER.

Edinburgh, 22 Januair 1622.

To the King his most sacred and
excellent Maiestie.

CCLVIII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

VNDERSTANDING, by my Lord Chancelar, that the Earle of Kellie, by his letter, had signified to him, that it wes your royall pleafour, that I fould aduertife what order wes prescriued for the timelie and convenient searck of pearles in this kingdome, with the effects thair of. For obedience of your maiesties commandement, by the letter first sent to me for that pourpose, I conferred with the Lord Chancelar and Aduocat, and by their aduice and concurrence, directed commiffions to Sir Robert Gordon, and, in his absence, to his brother Sir Alexander, for Sutherland; to the Lord of Kintail, for the waters in Rofs; and to Mr Patrik Maitland of Auchincreif, for the waters of Eythen, and others within the schirefdome of Aberden: with power to Maister Patrik Maitland to receiue all the pearle that fould be found to youre maiesties vse, geuing due satisfaction to the takers therof. I haue not hard of the effects of Sir Alexander Gordons diligence, but haue of new remembred him, by letter, of your maiesties direction, and his owne dutie. I haue spoken with the Lord Kintail, in this towne, who sayes he hes not hard of any pearle taken, fence his commiffion, in the waters of Rofs. Maister Patrik Maitland perfewed some men of Aberdene, before the counsell, for thair vnlauffull buyeing of pearles, since the proclamation; who compeiring, some confessed a small quantitie of pearle of no valew, the rest, being sworne and examined, denied. Order wes taken with the contravenars, and they acted vnder great panes to absteane from that trade; and the proclamation commanded to be of new published, to restraine the abuse of vnlauffull buyeing. I am informed that their are findrie other riuers in this kingdome where pearles ar found; as the water of Forth, the waters of Cart beside Paislay, and some waters in Galloway; but I heare not of any pearles of wourth found thairin, except verie rarelie. If it please

your maiestie to make choice of any dwelling in those cuntries, to take charge of the riuers, commiffions fall be giuen as they fall be directed. So, prayeing God long and graciouſlie to preferue your maiestie, the pearle of kings, I reſt

Your ſacred Maieſties moſt humble and faithfull
ſubieſt and bund ſeruant,

MELROS.

Edinburgh, penult of Januar 1622.

The ſchip of Oſtend, which wes at Monrofs, hes been rencountred at ſea be a waghter of the eſtates, and ſo miſerablie beaten, that ſcho wes to flie to Stanehyue, vnable to be repaired for vſe or ſeruice, as we heare.

Laſt of Januar 1622.

To the Kings moſt ſacred Maieſtie.

CCLIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVEING by oure formar lettre, of the laſt of Junij, preſented vnto youre maieſtie, oure opinioun, concerning the tua remiſſionis ſigned be your maieſtie, and deſyrit to be exped be ws; the one in fauouris of Sir James M'Donald, and the other in fauouris of M'Rannald, with the reſſonis moueing ws to ſuperſeid the paſſing of the ſame, till we ſould vnderſtand forder of youre maieſteis pleaſfour thairanent: We knowe,

that the importance of youre maiesteis more weyghtie affairis, hes not offerit the occasioun vnto your maiestie, to returne vnto ws your anfuerthairanent; and now we vnderstand, that M'Rannald is come to this cuntrey, leaneing to a protectioun grantit be youre maiestie to him, vnder your hand and signett, and without ony directioun or warrand for taking ordour with him anent his futur obedyence and quietnes; quhairin, althocht we will eshew to be curious, towcheing the particularis of youre maiesteis purpois in that mater, yitt the truste that youre maiestie hes repoised of youre affairis in ws, oblißes ws, in dewtie and alledgeance, to present vnto youre maiestie oure simple opinionis, concerning that man, whose bipast lyffe and conuersatioun hes bene so lewde and violent in bloode, thift, reafe, and oppreßioun, that to this hour he never randerit obedyence, and he wes not only the contryvair and plottair of the said Sir James his eschapp and brek of warde, bot a principall actor in the rebelloun that followit thairupoun, the suppressing quhair of wes so chargeable vnto youre maiestie, and troublesome to the cuntrie; and we can expect no thing frome him in tyme comeing, bot a constant continewance in the villanyis, quhairin he hes bene broght vp, and hes spent the rest of his vnhappie lyffe. And whereas now the whole Ilis and Continent nixt adiacent, ar in a maner reduceit to obediencie, and no publict disobedyence profest, bot be Allane M'Eandny, fader in law to this manis eldest sone, youre maiestie may confidder, how far others lymmaris, wick-edlie disposit, and not yitt fullie fatled in obediencie, may be encourageit, vpoun the example of this man, and hoip of impvntie, to offend: and yf he, with the other lymmair M'Eandny, fall joyne togidder, according to thair wounted maner, as appeirandlie thay will do, nomberis of insolent personis, who now lurkis, and ar quyet, will brek lowse and follow thair fortounis, quhairvpoun griter difordour and vnquietnes will aryise, nor wilbe weeie gottin fatled. The confideratioun quhair of, conjoyned with the example and consequence depending thairon, hes enforced ws, oute of that dewtie quhilk we owe vnto youre maiestie, most humelie and submissiuelie, to showe vnto youre maiestie, quhat we apprehend concerning this particulair, quhairin we haif no other respect nor confideratioun, bot the peace and quietnes of the cuntrey. And yf youre maiestie falbe

pleased to fend vnto ws, ony directioun concerning this man, we falbe cairfull to see the fame execute accordinglie: And so, praying the Almightye God to watche ouer youre sacred perfone, and to blisse youre maiestie with mony lang and happie yeiris, we rest

Your Maiesteis most humble and obedient
subiectis and feruitouris,

AL. CANCELL^s.

MELROS.

A. MAR.

GEORGE HAY.

Halirudhous, xxi of Merche 1622.

To the King his most sacred and
excellent Maiestie.

CCLX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maiestie wes pleasit, tua yeiris fyne or thairby, to recommend vnto ws the fatling and remoueing, by ane amicable forme and maner, the deadlie feade standing betuix the Lairdis of Cultmalundie and Monyvaird, and thair freindis, vpoun occasioun of the slaughter of the Laird of Monyvaird, and to move the pairtie greeued, to accept of fuche offeris, as the offendaris might reafounable performe; we accordingly write for fa mony of the freindis, as we knew to haif cheif intereffe in that mater, and vsed the best meanes we could, to haif broght the fame to some freindlie dresse; bot that dyet being cassin of, vpoun alledgeance that some of the speciall freindis wer omittit and not writtin for, we appointit a new dyet, and write for the whole freindis that wer gevin vp, who returnit thair answer to ws in write vnder thair handis, that thay

could not medle in that mater, nor tak burdyne for Monyvaird, who is the principall pairty haueand interessè, in respect of his minoritie: whair-upoun the mater desertit, and we could go no forder thairin. At this secund dyet, Cultmalundie, eldair, exhibite befor ws offeris in write vnder his hand, maid to the pairtie, contening the fowme of ane thowfand crownes for the affythement of that slaughter, with the banishment of Alexander Bruce, his sone, and George Tyre, messinger, who wer alledgeit to be the actuall slayaris of Monyvaird, during youre maiestis pleasour; and at that same tyme, we caufit him gif satisfiactioun to Duncane Campbell and David Malloche, who wer deadlie hurte quhen Monyvaird wes slayne, by payment making to thame of tua thousand pundis, quhairupoun thay haif gevin ane discharge of thair interessè in that mater, as the same, producit befor ws, bearis. This feade hes altogidder vndone auld Cultmalundie, for his estate is exhaustit and wrackit, and he is become verie waik of his iudgement and vnderstanding, by the greif that thir troublis hes broght vpoun him, whilkis wer the occasioun of his wyffis deathe, and of the exyle and banishment of his fones and freindes now be the space of foure yeiris; in the whilk exyle, tua of his freindis, of goode rank and qualitie, hes depairtit this lyffe. This being the effect of oure dealing in this busyness, we haif beene intreated be the pairtie, humelie to present the same to youre maiestis consideratioun. And so, continewing oure vncessant prayers vnto God for youre maiestis lang and happie reigne, we rest

Your Maiesties most humble and obedient
subiectis and seruitouris,

AL. CANCELLS.
MELROS.
A. MAR.
GEORGE HAY.

Halirudhous, xxi of Marche 1622.

To the King his most sacred and
excellent Maiestie.

CCLXI.—THE NAMES OF THESE QUHA AR DECLAIRIT FUGITIUES FRA THE JUSTICE COURT, HALDIN AT DRUMFREIS, THE XXI, XXIJ, AND XXIIJ DAYES OF MAYE, 1622 YEIRIS.

James Johnstoun of Lochhous.
 Robert Grahame, his feruitour.
 Jāmes Douglas, his feruitour.
 James Johnstoun in Croftheids.
 James Johnstoun, called of Braikinfyde.
 Williame Achefoun of Powcornall.
 Jaffray Irwing of Robgill.
 Christopher Irwing, his foun.
 Alexander Irwing in Boydkin.
 Thomas Taggart in Chappellknow.
 Johne Irwing, *alias* Lyttill Boy, in Stapletoun.
 Gib Irwing, *alias* Gib of Langfyde.
 Margaret Armestrange, callit the Wairding.
 Thomas Armestrange, hir foune.
 Archbald Lyttle, fometyme at Quhytliefyde.
 Richat Irwing of Wodhous.
 Williame Makcaige in Porterstoun.
 Edwart Johnstoun in Siefeild.
 Geordie Armestrange, callit Airchies Geordie.
 Williame Robfoun in Hoilhous.

THE NAMES OF THESE THAT PAST TO ANE ASSYSE AND CLENGIT.

Mathow Littill in Newlandis.
 Alexander and John Littillis, his founes.
 Willie Armestrange, callit Pavunes Willie.

Thomas Lyttell in Barkelaes.

Syme Armeſtrange, callit Qwhythauche.

Hector Elliot in Rig.

George Colhart, feruitour to Jaffray Irwing.

Ritchie Irwing, callit Gawins Ritchie.

George and Williame Litfters, bretheren, in Wyſbie.

Johne Achefoune in Coryphen.

Thomas Lyttell in Dowglen.

THE NAMES OF THE PERSONIS CONVICT.

Johne Armeſtrange, called Bauld Jock, executt.

Adame Henrye in Logane, feruitour to Captane James Johnſtoun of Lochhous, executt for thiftis committit ather with his maifter, or be his directioun.

Gilbert and George Irwingis, bretheren, callit Quhytclocks, execut.

Walter Littell in Bombie, execut.

Thomas Moffat in Hietas, execut.

Adame Mairtene, foune to Robert Mairtene in Logane, convict for ane pair of doore bandis of iroun, and ſome furlot of victuall, referueit without dome, till we be advyſeit with the Lordis of Counfall.

Thomas Warrick in Pottum, convict of tua nolt, perteyning to ane Ingliche man, quho wantit four: the nature of his convictioun being, that he, haueing put the ſaid nolt in graſſing to ane other, the nolt challegit be the Ingliſchman into the other manis aucht, quho had thame in graſſing, callit Archie Lyttell; Lyttell renderis the nolt to Warrick agane; and quhen the Ingliſhman comes to ſpeir for the gudes at Lyttle, quher he challengeit thame firſt, Lyttill gois with him to Warrick, quho denyes the ſaid guides; ſua the queſtioun ſtanding debaittable betuixt the ſaid Lyttle and Warrick, both paſſing to ane aſſyſe, Warrick being convict, we think hard to giue dome of lyfe vpoun him, ſence it is not cleir, but be preſumptionis, that theſe was truelie the Ingliſhmanis guidis, quhilk he reſſaueit bak agane, or gae for graſſing to Lyttell; hes ordaneit him, of the red-

dieft of his gudes, to repaye the Inglishman his nolt; hes kept him in pryffoun, and continueit dome, till we be farther advyfeit with the Lordis of Counfall.

To the richt worshipfull my most respected
and speciall gude freind, Maister Murraye
of Lochmaebene, one of his Majesteis Bed-
chalmer, These.

CCLXII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

His maiesteis gracious respect to my humble fute for Maister Thomas Henderfon, after innumerable other preceeding great benefites, do so far exceed my seruice, eurie way defectiue but in fidelitie, that I can rander no thing therfor but my feruent prayers, which I daylie make to God, for his long and prosperous life and estate, and request yow to frie me from reproach of foule ingratitude, by presenting to his maiestie most humble thanks, in my name, for that, and all other his infinit royall fauours to me. My former recommendations for the lords Carnegie and Durie fand grace in his maiesties eyes, and their behauour hes giuen, and I hope fall giue, fuch contentment to his people, in thair charge, as fall procure from their heartes true praifes to his maiestie, and thanks to God for his care of iustice to be ministred to them. Maister Thomas Henderfons learning and carriage in the commiffariat, and faithfulness in his bypast seruice to his maiestie, promifes continowance and encrease of his honest endeouours in this more eminent place,* wherin he fall haue my best counfels and encouragements. So, beseeching God to prolong

* Sir Thomas Henderson was admitted a Lord of Session 6th June 1622, in place of Sir Lewis Craig.

his maiesties health and life, and accomplish his royall desires, I wish yow
all happineffe, and rest

Your oblised freind to be commanded,

MELROS.

Edinburgh, 28 May [1622?]

To the right worshipfull John Murray
of Lochmaben, one of his Maiesties
Bedchamber, at Court.

CCLXIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

By my letters of the fixt, I declared the estate of youre owne
affaires, and of my lord Chancelars sickeneffe, which God hes turned to
the best, and giuen so good beginning to his health, as I hope letters,
wretin with his owne hand, to the earle of Kellie, fall accompanie this
packet, and declare that his paine is ended, and no trouble remaines but
weakenesse efter a dangerous diseafe, albeit it hes beene of short con-
tinouance, praised be God. I know his maiestie will be glade to heare
from yow, that so auncient and worthie a seruant is yet able to liue, and
continow in his wonted good affection, to do his maiestie faithfull and
profitable seruice. So, having no other subiect of writing at this time, I
commit yow to God, and rest

Your oblised and euer obedient freind,

MELROS.

Edinburgh, 10 June [1622?]

To the right worshipfull Maister Murray
of Lochmaben, one of his Maiesties
Bedchamber, at Court.

CCLXIV.—EARL OF MELROS TO JOHN MURRAY.

SIR,

BEFORE the packet go, I expect the Earle of Mars returne from Alloua, and then fall resolue and aduertise yow of your affaires with him, and returne your letter.

Drumlanrick, vsing caption aganis Wamphraes brother, foght concurrence of young Lag, as one of your deputes, who, offering his assistance, fand no obedience. The howse of Wamphra is belawed, and commission giuen by the counsell to Lag, to vse his maiesties autoritie; and for notifying your power, and these whom ye haue appointed, I haue caused direct from the counsell, publication of your place in the commission, and names of these whom ye haue deputed.

I wrote with regrait of my lord Chancelars dangerous sicknesse, and thereafter, by information of his seruants, wrote, by my last, of better hope of his recouerie, wherof there is now so litle appearance, in the judgement of his phisitions, as we haue all conceiued greif for the danger of his life, wherof ye fall know more before this letter clofe. By my first vpon this subiect, ye knew that I wes so farre from blind ambition, as I wished his maiestie might vnderstand by yow, how vnable I wes to susteine the burdening I will beare, during the vacancie of that place. I haue striuen to discharge that wherewith his maiestie wes gracioullie pleased to honor me, and will still endeuour my self to continow so long as God giueth me strength; but the imposing of farder would ouerburding me, and therefore I humblie wish, that, if my lord Chancelars disease ouercome him, vpon knowledge therof, his maiestie may make choice of any whom he, in his excellent wisdome, judges most fit for that great place, to whom I may giue my faithfull and readie concurrence, and be exonered of that ouercharge, which will oppresse me, whill some worthie officer be fetled by his maiestie in that place. Since the writing of what preceedis, I visited my lord Chancelar, who remembered our long coniunction in his maiesties

feruice, and our ancient acquentance and freindship, which he desired me to remember in the lawfull affaires of his ladie, children, and freinds, which I promised, and fall, God willing, performe. He is extreamlie weakned, and in small hope of recouerie, which is heavelie regrated be many of all estates. The earle of Mar is now come, and, by conference, hes assured me, that he fall readelic renunce all right, he or his sonne can pretend to any land of yours, wherof I likewayes spake with Mr Th. Hope for the furetie, and fall sie things perfited before farder be done in the action; and so I returne heirwith your letter, as ye desired, and wishing yow all happines, I rest

Your faithfull, affectionat, and
obedient freind,

MELROS.

Edinburgh, 13 June [1622?]

To the right worshipfull John Murray
of Lochmaben, one of his Maiesties
Bedchamber, at Court.

I know ye will be glade to heare, that thair is newes come to me of better hope of my lord Chancelars recouerie, which I pray God encrease.

CCLXV.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

YOUR maiesties letter, commanding Dunkerkers, being in the herbrie or roade of Leith, to be vsed as subiects of a prince, in freindship with your maiestie, and to be furnished of necessaries for themselues or their shippes, at reasonable rates, wes presented to your counsell, vpon the el-

leuint of this moneth, and affurance giuen to the bearer and capten of the ship, that, behauing themfelues peaceable, they fould be no worfe vfed nor your maiesties owne fubiects. Commandement wes then giuen to the proueft and bailies of this towne, that they and their water bailie in Leith, fould fie your maiesties will in that bufines fullie accomplished. The ship lay in the roade, and the fouldiours repaired to land as they pleased, till Wednifday at night, that two Holland waughters arriued, and fand a pinage of theirs neere the Dunkerker, who, about one in the morning, affailed the Dunkerker, who made good refiftance, and firft repulfed them from bourding, and thereafter by the fpace of two houres, interchanged a great number of fhots on either fide, and many wounded. Before foure, fome of the Dunkerkers, who were a land, and faw what had hapned, came and aduertifed me that the combat wes onlie furceafed, becaufe the ebbing fea had broght all the fhippes on ground, who, fo foone as the water fould rife, would renew their combat, which they prayed me to prevent. My Lord Chancelar and Thefaurar being abfent, I made fpeedie warning to the fmall number of counfellors being in towne, to conueene, and directed the proueft and bailies to come before them, and likewayes fent for the conftable of the caftell and admirall depute. Meeting firft with the magiftrates, I directed them to warne their citizens to be in armes, readie to marche whether the counfell fould command them for your maiesties feruice, and commanded the conftable to haue the cannoners, with ordonance, and all neceffarie furniture, readie to be employed in your feruice, by the counfell: Who, conueening, fent a charge with the water bailie, with ane herald and trumpetour, to command both parties, in your maiesties name, to keepe your peace, and forbear inuafion one of another, vpon the land or narrow waters, and that each ship fould fend a principall man to the counfell. Which being obeyed, I told the Hollanders, in your maieftie and your counfels name, that great offence wes taken at their prefumption, to trouble any man, being fubiect of a prince in amitie with your maieftie, in the verie mouth of the principall her-brie of this your kingdome, they of all others being moft bund in humble refpect to the effects of your royall fauour to them, notour to all the world.

They excused the mater, compleaning that the Dunkerker had, within your maiesties waters, assailed and forced their cuntrie shippes, killed of their men, and had deteaned a number of prifoners, whom, they requiring to be rendered, the others refufall to do them reason, had made them to repaire violent injurie by lafull inuasion, and desired that the counsell might cause the Dunkerker restore their men. I answered, that your maiestie wes freind to both, but that your counsell wer not to be arbiters of their controuerfies, but freindlie receiuers of both parties, who shold behaue them selues peceable, and of new commanded them to forbear all violence to their aduersars in this cuntrie, or your maiesties narrow waters: and thereafter, calling for the Dunkerker, told him of the Hollanders complaint and wrong done by him, on your maiesties coast, which he denied, affirming that what he had done wes in the rowme seas. We proponed the restitution of the prifoners, which he excused; but both promised to keepe your maiesties peace. The Dunkerker desired permission to enter the herbrie of Leith, which wes granted, and I think the others will do the like. The admirall depute wes directed to try what the seamen at Leith could performe, if we had found any of the strangers disobedient. He reported that they were altogether vnable, and saw no way to force them to obedience, but by bringing ordonance from the castell to the shoare, to ding them so long as they shold be within shot. If they fall keep promise of obedience, we will be releued of that difficultie at this time; but I will humblie beseech your maiestie to consider and direct what course, your counsell fall take at the like occasions, which may frequentlie occurre heirefter, inrespect of the number of warre shippes of both parties, in thir seas of late, now liklie to continew, vnles your maiestie, by your excellent wifdome and royall autoritie, prevent it. We haue commanded the captaines of both parties to be before the counsell tomorrow, and are informed that he who hes charge of the Hollanders, is called Monsieur de Hautain, and is admirall of Zeland, of good qualitie and accompt amongis the estates.

This accident hes giuen ws proof of the incommoditie of my Lord Chancelars absence, who hes bene so sicke thir fiftene dayes, that mens

hopes and dispaire of his recouerie have many times changed. He is eafed of his paine, but fo weake, as, if he efcape, which is greatlie wifhed, it will be long before he recouer his ftrengh; and if he deceafe, your maiefties feruice may neither admit delay of the appointing of a fucceffour, inrefpect of my infufficieny to fufteane the burding during the vacancie, nor can it be fupplied but by one of greateft autoritie, faith, and fufficiencie within the kingdome. They ar all fo well knowne to your maieftie, and your royall judgement is fo excellent, and loue to your fubiefts fo notour, as none can dowl of the perfection of your maiefties choice. So, praying God to preferue your maieftie many happie yeares, I reft

Your Maiefties moft humble and faithfull
fubieft and feruant,

MELROS.

Edinburgh, 13 June [1622?]
at night.

[To the Kings moft excellent Maieftie.]

CCLXVI.—THE EARL OF MELROS TO JOHN MURRAY.

SIR,

THE inclofed will informe yow of my defire of your freindlie help in the maters may occurre throw occafion of my Lord Chancelars deceafe; and if ye think that the fight of my letter may moue his maieftie

to releue me of the burding wherwith some men wold ouerwhelme me,
I pray yow vfed according to your freindlie discretion. I rest

Your most oblifed and obedient freind,

MELROS.

Edinburgh, 16 June [1622?]

To the right worshipfull John Murray of
Lochmaben, one of his Maiesties
Bedchamber, at Court.

CCLXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

It hes pleafed God, this moirning, to call to his mercie, frome this mortall lyffe, the laite erle of Dunfermyne, your maieftis faithfull and trustie counfellow, by whose deathe we ar depryued of grite affistance, folide counsell, and perfyte refolutioun, whilk by him we had in your maieftis affairis, and of whose panefull trauellis, cair, and diligence in your maieftis seruice, we can beare goode record. Bot seeing, in Godis appointit tyme, he hes compleit his courfe, to the regrait of all your maieftis goode fubieētis, we could not omitt of dewtie, in regaird of the grite and honourable place, whilk he held in this estate, to gif notice of his deathe vnto youre maieftie, and thairwithall humelie to befeeke your maieftie to latt ws knowe, quhat your maieftie will gif, in directioun to ws, concerning your affairis and seruice, till your maieftie fall haif tyme and laifer to think vpoun a new choife to be maid for that honnourable place, whairof we perfuade oure felffis, that youre maieftie, oute of your awne excellent iudgement, will confidder that the affairis can not, without preiudice, admit ony lang delay,

and that choise falbe maid of fuche a fitt perfone, whose giftis wilbe anfuerable to that heigh imployment. And specialie, we ar to recommend vnto your maiestie the necessitie of a present choise, to be maid of some perfone whome your maiestie will truste with the keeping of your maiesteis casshett, becaus the dispathe of all the publict affairis of the state, alweele concerning your maiestie as youre subiectis, quhairunto your maiesteis hand, vnder the casshett, is requisite, dependis thairon. In the meantyme, we haif thocht it expedient that your maiesteis grite seale falbe reffaued and kepted by ordour, to be prescryued be your counsell, who wilbe anfuerable that no vse falbe maid of it, till your maiesteis goode pleafour, falbe thairin knowne vnto ws, at whilk tyme the seale falbe deluyarit to fuche as your maiestie falbe pleased to command. And so, with oure humble prayeris vnto God for your maiesteis lang and happie reignn, we rest

Your Maiesties most humble and obedient,

A. MAR.	J. ERSKYNE.	W. OLIPHANT.
WIGTOUN.	CARNEGIE.	SCOTTSTARVETT.
SANCTANDREWS.	J. COKBURNE.	GEO. ARESKYN.
MELROS.	J. CARRE.	CONSERUITEUR.
JA. GLASGOW.	J. HAMILTON.	WEEMIS.
AIRE.	R. COKBURNE.	

Edinburgh, 16 Junij 1622.

To the King his most sacred and
excellent Maiestie.

CCLXVIII.—EARL OF MELROS TO JOHN MURRAY.

SIR,

I HAUE receiued your letter of the tent, and having wretin by the packet, caried be George Bailie, who parted vpon Sunday last, of my Lord

Chancelars death, and, in a letter to his maiestie, told what order was intended for keeping the great seale and caschet close vnyfed, till his maiestie shoulde be pleased to giue warrand for exercise therof, we expected that they shoulde haue bene presented to the counsell vpon Tyfday, but that was delayed vpon an excuse knowne to be true, that the Earle of Winton, who now hes thame, had bene so ouerwatched ten or tuell nights attending his vncke in his sickenes, as not going to bed but verie seldome, was much altered, and not able to compeir vpon Tyfday. We expect his presence vpon Thursfday, and thereafter ye shall know what farther is done therein, that by yow his maiestie may be informed of the counsels diligence. But, as I wrote before to yow, vnles his maiestie take some speedie course to place in that charge, one of the worthiest and greatest autoritie in this kingdome, there is danger that his seruice may receiue preiudice. A greater part of the burding lyes vpon me nor I am able to beare. Many are able to serue at tennice, at the corde, who are vnfit for the house. The nobleman lately deceased, bearing the weightie end of the barrow, made my charge light at the lower staale, his sufficiencie and autoritie making my taske easie, but if I want the like relief by anothers employment in his place, I may shortly incurre his maiesties displeasure for want of sufficiencie, when I haue vsed the best intended diligence that can be expected from so weake an instrument, for eschewing wherof I haue prayed yow, by all my letters writen since the beginning of the Lord Chancelars sickenes, to represent to his maiestie the necessitie of a readie resolution in the choice of a worthy officer in the place now vaiking, and will neuer cease to importune yow, whill that busines be well settled. For your neighbourheid, I wish your partie may conforme him self to reason, as I think he shoulde and will, and, if he do otherwayes, if all that are bound to your kindnesse be thankfull, your honest causes can not want lafull help; but I remit that to tryall, and hope the best of all honest men.

No better resolution can be taken anent my Lord of Stormont busines, nor that which your letter expresse. I am forie to heare Pitlour compleane of some new rigour, alledged vsed by my lords people against him in their neighbourheid, but it is not my part to condemne a freind vnhard.

All that loue yow will allow the good courfe taken by yow for fetling freindfhip with the Earle of Niddifdaill.

The Earle of Mar, knowing his maiefties pleafour anent his renunciation of his clame as air to the Earle of Douglas, hes giuen in a declaration generall theranent to the feffion, which is registrat in their boukes, and will gaue particular contentment to parties who fall require their intereft to be fecured; which I pray yow fignifie to his maieftie. The action betuix him and the Lord Elfinfton delayes vpon other occafions; and what Maifter Thomas Hope will require for yow will be performed: fo, wifhing yow all happines, I reft

Your obleifhed and obedient freind,

MELROS.

Edinburgh, 19 June [1622.]

To the right worfhipfull John Murray
of Lochmaben, one of his Maiefties
Bedchamber, at Court.

CCLXIX.—THE LORDS OF SESSION TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

IN the action moved be the Erll of Mar againft the Lord Elphinfoun touching the lands of Kildrymmie, it hath pleafed your maieftie, being informed of a reasonable caufe, which may difhable your maiefties owne Aduocat to difcharge his dewtie in that pleading, to fubftitute Sir Alexander Gibfon of Durie, knight, one of our ordiner number, who,

thogh in all humilitie and reverence, did offer him selff most readie and will to embrace and obey, without exceptioun, all your maiesties commandements, yet, finding this motion new and strange, proceeding rather from the instant suite of a partie, nor any other warrantable ground, did wish vs to tak the samyn to our consideration, and let your maiestie knowe our judgement and opinion thairanent; and when we fund, it did in consequence touch the whole body, wherof we ar members, we could not weell refuse so reasonable a desire, bot rather wer vniformelie moved by the dissuasive reasons following, to represent to your maiesties royall wisdome, which is our best leadstar in doubtis of this kynde, the effects which may ensue, iff this haue any way, as it is now suited.

First, the eminent dignitie whervnto your maiesties princelie power hath promoved vs in this place, shall, by this meanes, be empared, for that hath ever heirtofore privileged vs, from necessitie of vndergoing of any inferiour function, bot speciallie such a charge as this, which can not be dischargit bot at the arbitrimēt, and be the disposing of the pairtie informer.

Nixt, as it is new and strange, so it is likewyse for the preparative, dangerous, considering how often the like caise may occur, at least the like cause be pretendit. For, iff it fall be arbitrarie to pairties, imploring the ordinarie ayde of iustice, to single out, vnder the like pretence, any of our number, at thair pleasure, it will in end proue both a weakning of our body and strenghtning off actions; and these bad effectis, which this course, by appearance, will produce, moues vs to rest assured that your maiestie, out of your royall care, asweell of vs, as the weell of your subiects, will both foirsee and avert the danger of them, and will rather be gratiouuslie pleased to appoynt that choise of substitution out of the number of advocats, nor our number, and the rather in respect that number hath, often before this tyme, beene with good successe the seminarie of this place, and the garden, whence these of whome your maiestie made choyse for that service, haue alwayes bene pluckt and taken.

This our opinion on the occasion forsaide, as it doth proceed from our loyall and hartie affections, so we hope shalbe kyndlie taken by your maiesties fatherlie love, and we our selves be further directed by your maiesties royall wisdome and pleasure, to which, in all humilitie, conform-

ing and submitting ourselves, and praying God for all happienes and prosperitie to your maiesties royall persone and posteritie, we rest

Your Maiesties most devoted and humble fervitours,

MELROS.
SANCTANDREWS.
LAUDERDAILL.
CARNEGIE.
MELUILL.
A. HAMILTON.
KILSAYTH.

T. HENRYSON.
WEMIS.
R. COKBURNE.
J. COKBURNE.
GEO. ARESKYN.
AL. HAY.

Edinburgh, the xxth of June 1622.

To the King his most excellent Maiestie.

CCLXX.—SIR THOMAS HENRYSON TO JOHN MURRAY.

MOST HONORABLE SIR,

MY maist affectionat dewtie premitit: the effectuall proove of your honoris firme freindschip and affurit fauour, imboldnes me euer to rely vpoune the continewance thair of, towardis me and all myne, as I fall euer think me bound vith ane wndiffoluable obligatioune to your honour and all your, quhill I live, or then be esteemit the vngrateft man leving: and amangst the rest of your honours courtesies, I must expect your fauour to, and cair of, ane tender freind of your awin honouris, the commiffarie of Dumfreis, Maister James Haliday, now in effect your honours sifterfoonne, having mariit your neipce; his woorth and behauour, I dout not, fall pleid for him at all handis; and feing thair is furnifed heir the promotioun of some noble perfounes, quha hes ordinaire places

in Seffioune, to the dignitie of the Chancellarie, now wacand, throw the deceife of ane most woorthie and incomparable subjeēt as euer I knew in iustice feat; it war not amifs to remember your honours deir freind, quha is in sufficiencie not inferiour to ony pretendand: I dout not but his cariage vith tyme will procure his advancement. The confideratioune quherof I remitt to your honours awin gud pleasure; and if ony of my freinds aboue can fecound your honours intentions heirin, I will most cairfully recommend the busines to thame, as myne awin; and praying your honour euer to esteame me, as your firmly bound and tyed man, to your honours irrecompensable fauours, I committ your honour to Gods euerlasting proteētioune. Edinburgh, the fourt of Julij 1622.

Your honours maist affectionat seruiteur,

T. HENRYSON.

To the right honorable and his
woorthie freind, Jhon Murray
of Lochmabene, gentilman of
his Majesties Bedchalmer, at
Court, These.

CCLXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS the tyme of changeing of the schireffis, of whome youre maiestie hes the nominatioun, now approtcheis, we haif heirwith fend vp to youre maiestie, ane roll of the justiceis of peace within these shirefdomes, to the effect youre maiestie may point oute, fuche, whom youre maiestie wilbe pleased to prefer for the yeir to come. Thay who ar presentlie in office, ar markit with the letter P; and quhairas lykewayes, the office of shireffhip of Murray hes bene, thir diuers yeiris bigane, voyde, pairtlie through the deceis of the laite shireff, and pairtlie vpoun occasioun of ane pretendit compyring of

the said office led be Dauid Kinloche, marcheant burges of Edinburgh, who, being conscious to himself of his awne waiknes for fuche ane charge, hes forborne to medle thairin, sua that the adminiftratioun of justice within that shirefdome hes ceast; and your maiesties awne affairis, wherof the executioun pertenis to the shireff, hes bene neglectit. And becaus the mater of the taxatioun wes in handis, whilk might admitt no delay of tyme, we burdynnit the Lord Lovatt, as tutour to the young schireff, with the ingaddering of the taxatioun for that shirefdome, who excuifit him felf that he could not medle in that mater, inrespect of the comprifing foirsaid, without a formal commissioun of shireffship in write for the whole foure yeiris of the taxatioun; in whilk point, we could gif him no other satisfactioun, bot that we fould acquent youre maiestie thairwith, and crave youre maiesteis awne allowance thairunto; wherupoun he wes inducit to accept the charge for this yeir, the terme quhairof being now drawing neir, and the necessitie of a shireff for the mater of the taxatioun, besydis the otheris adoīs of the cuntrie, being so vrgent, as it can not weebe delayed, we will humelie beseeke youre maiestie to latt ws knowe, yf youre maiestie wilbe pleasit with the continewance of the said Lord in that charge, for the yeiris to come of the taxatioun, whilk, in oure opinioun, is the fauldest course for youre maiesteis seruice; or, yf youre maiestie will mak choise of ony other, we shall in all reuerence acquiesce to youre maiesteis pleafour thairanent. And so, praying the Almighty God to watche ouer youre sacred personne, and to blisse youre maiestie with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient
subiectis and seruitouris,

A. MAR.
WINTOUN.
LOTHIANE.

MELROS.
LAUDERDAILL.
MELUILL.

Edinburgh, 18 July 1622.

To the King his most excellent and
sacred Maiestie.

CCLXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By oure formar lettre of the xiiij of Junij last, we acquaintit youre maiestie quhat course we had tane betuix the Spanishe and Holland shippis that laitlie combated in the roade of Leithe, and how that we wer petitioned on the behalf of some prissonaris tane and detenit in the Spanishe schip, that thay might be putt to libertie, conforme to the custome of nationis, alledgeit to be vniuersallie obseruit in the lyke caise, quhairunto we deferred to gif answer, till the knouledge of youre maieftes pleasour, becaus the mater wes a noualtie, quairof the lyke had not occurrit in this kingdome, and we wer not foirseene quhat the custome of nationis in fuche a caise allowed. Senfyne, thay haif renewit thair petition almost euerye other counsell day; bot the expectatioun of youre maieftes answer, quhilk we daylie attendit and looked for, maid ws to putt thame of with the best excuifs we could. And now the mater hes bene of new vrged this counsell day; and it is constantlie affermed that some of thir prissonaris ar deadlie seeke. The confideratioun quhairof moued the counsell, being conuenit in a frequent nomber, to think that Christiane cheritie and humanitie, in a mater of this kynd, required a fauourable heiring and answer; and thairfoir, we haif directit twa of the bailies of Edinburgh, with a phisitioun, to go and visite the prissonaris, in quhat estate thay ar, and how mony of thame are trewlie seeke, and to reporte the trewthe thairof to ws vpoun Twisday nixt; and we haif lykeweyes ordanit the captaines of the Spanishe and Holland shippis to be befoir ws the said day, instructit with fuche informatioun and probatioun, anent the custome of nationis, as the one will vse for the laughfull detentioun of the prissonaris, and quhairby the other will laughfullie clame their libertie, and to vnderly fuche ordour as falbe tane thairanent; wherin mony ar inclyned to haif a fauourable regaird of fuche as ar diseased, and to putt thame to libertie vpoun cautioun for thair reentrie, yf so it shal pleis your maiestie to command. We haif bene, and ar verie spairing to medle in this mater,

whilk concernis the subiectis of ane prince and estate, with whome your maiestie standis in goode termis of freindship, and we can find no precedent, wherby we may be directit to a cleir and perfyte resolutioun in this point; and thairfoir we will humelie presume of new agane to requeist youre maiestie, to assist ws, by the excellencie of youre awne found and perfyte iudgment, in this mater, and, by the returne of youre gracious will and pleasour, to latt ws knowe quhat we fall do thairin, and whilk falbe a reule to ws in all occurrencis of the lyke natur heirefter. And so, in all humilitie, praying the Almighty God to blisse your maiestie with mony lang and happie dayis, we rest

Your Maiesteis most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
A. MAR.
J. MORTON.
MELROS.
MELUILL.
LAUDERDAILL.

J. ERSKYNE.
KILSAYTH.
A. HAMILTON.
BUCCLEUCHE.
CARNEGIE.
W. OLIPHANT.

Edinburgh, 25th July 1622.

To the King his most sacred and excellent
Maiestie.

CCLXXIII.—JOHN MURRAY TO THE EARL OF MELROS.

RIGHT HONORABLE,

I have receaved your letter off the 18, and hes confiderit vpon the same, and the caus off my wreittin these lynes to your lordship, is the mache off my freind your lordship wryttis off, that is gone one ffor soe fare, for that I knoe owt off the countree, that some hes wrocht in that more earnist nor before, and laid there grownds for this reafone, that may freind-

fchepe to the Lard Jonfton can not be fuche, as he can luk for ony good by me ; fecond, the freindfcheepe betuix the earle off Nyddifdaile and me, this I will faye, he that comtes befor his oift comtes tuyfe, and thefe whoe hes keepit the Lard Jonfton in trowble, hes not left off as yett, to hald him that waye, and ffor that whiche I wreitt to your lordfhip before, off my care off the Lard Jonfton, I think myght ferved, and more I could faye, iff I war with your lordfhip, bot will lett that reft till the owin tyme. This I hawe wreittin to your lordfhip, to defeir the Lard Jonfton to ftaye the contending his mache, whill he heard ffrome me, and iff my afferes be not als muche both ffor his comoditie and honor, yee, and to aquent his honor, with Gods greace, and the affurence off my owin freindfcheepe, as your lordfhip and vther off his honorabill freinds fhall be judge, that he may doe as he pleaffe, and in this I will defire your lordfhip to aquent him, and lett me heare ffrome your lordfhip iff thingis be not don, and ftaye thame whill your lordfhip haue my anfuer agane ; foe, haweand noe vther occafion at this tyme, I will wifche your lordfhip all happines frome him that will remeane

Your Lordfhips moft oblefhed to ferve yowe,

JOHN MURRAY.*

At Whythall, the 27 July 1622.

For the Lard Jonftons buffines with the tutor, I fhall anfuer that noe courfe fhall be taken in that, bot according as he did agree at his being heare the laft yeare, fore foe I hawe orderit with my Lord Nyddifdeale. Something of this I fhewe my lord Chancellor, at Windfore, on his way comyng frome hence.

To the ryght honorabill, my werie
good the Earle of Melros, Lord
Secretter off Scotland.

* John Murray was created Viscount of Annand shortly after the date of this letter, but as the patent cannot be found, the exact period has not been ascertained. It must, however, have been between the 27th of July and the 6th August thereafter. Upon the 13th March 1624, his Lordship was created Earl of Annandale.

CCLXXIV.—SIR THOMAS HENRYSON TO THE VISCOUNT OF ANNAND.

MY HONORABLE AND WOORTHIE LORD,

THE dewtifull offer of my kindlie service premittit, I am not able, ether by woord or wreitt, to exprefs your lordships fauours and woorthie meritts towardis me; and if I fuld ftryve and preife to acqyte thame kythit in deidis, by woordis only, I micht be eftimat in rank of ingraitis, but my mynd fall euer be far vtherwayis, if it fall pleis God, I haife that happines to exprefs it by fum occafiounes, ether in your lordship, or your lordships freindis bufines, or ony thing that can concerne your lordship, quherin I am able to ferue your lordship or any of yours, I will intreit your lordships fauour by commandement to affay, if I fall fchrink in your lordships honorable pretenfions, in quhat I am able; and as I haif found your honorable lordships gude and effectuell fauour, in tymes paff, fo will I euer relie thairvpoune, as my cheiff patrone and protectione. The Lord increafe your lordship in all health, wealth, honour, and prosperitie, vith perpetuities and indurance heir, fo long as flefche may florifche, and in eternall felicitie heirefter.

Your Lordships maift affectionat feruiteur,

T. HENRYSON.

Edinburgh, the firft of Auguft 1622.

I receauit your lordships letter of the 24 Julij this day, efter the writing heirof, quhilk is moire acceptable to me then ony thing culd befall. Pithie in wryting as your lordship hes bene to me, powerfull in doing, quhilk I fall efteame euer ane fure teftimonie of your lordships

vndefervit fauour. I will not importune your lordship vith euerie occurrent, but will acquaint your lordship be my nephew.

To my most honorable and woorthie
 Lord, my Lord Vicount of Annand, These.

CCLXXV.—LORD JOHNSTOUN TO THE VISCOUNT OF ANNAND.

MY VERIE HONOURABLE LORD,

My dewtie and seruice remembered vnto your lordship. I am informit be the rycht honourable my Lord of Melros, of your lordships lowe and kyndnefs ye carie to my hous, ffor the quhilk I falbe ewer red-die to ferve your lordship. As concerning my buffines with Drumlanrig, your lordship fall witt, that I may do thairin as pleaffes me, and fall keep myself frie, quhill I heer farder frome your lordship. Quhairfoir I will requeift your lordship to acquent me particularlie of your lordships meanyng, and giff it be to my credit and contentment (as I doubt not the contrair), your lordship fall command me. Pleis your lordship, my tutor and I hes of new submitted to some of the Ordinaries Lordes of Session, and my Lord Chancellar to be overfman. Sua, expecting your lordships answer, with the first occasioun, I rest

Your lowing cussing to ferue yow,

JOHNSTOUN.

Edinburgh, 6 August 1622.

To my verrey honorabill guid Lord,
 my Lord Viscount of Annan, Gentillmen of his Majesties Bedchamber, These.

CCLXXVI.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE GOOD LORD,

ALBEIT your lordships letter, which I returne heerwith, was directed by packet of the 27 of July, for life, yet it came not to my hands till the fourt of this month, at tuelue a clock. I caused make present search for the laird of Johnstoun, and trying that he wes in Elflifton, I wrot to him, and inclosed your letter, praying him to consider of your kyndnes as it merited, and let me haue his ansuer with diligence. Yesterday afternoon he came to this place, and redeliuered your lordships letter, and promised to haue his letters at me this day to be sent to your lordship. The packet fall go fo soone as I receiue them. His mother is in Edinburgh, and Westerhall is still with him. He seemed to be well pleased with the motion, since it conteaned assurance of his profit and honour, which is all can be desired, if the parties be pleased each with the other. He can not at this time haue the earle of Mars aduice, for he is presentlie going to the Brae of Mar. Sir James Bailie promised to get John Auchmouties ansuer anent the submission. I told him it must be in no other termes, but what satisfiacion your lordship shold giue him for any right or kindnes he could pretend. If he consent, the submission shal be drawne and sent to be subscribed, otherwayes your lordship shal be aduertised of his resolution. So, till farder occasion, I commit your lordship to God, and rest

Your Lordships affectionat freind to
ferue yow,

MELROS.

Barnbougall, 6 of Aug.

The laird of Johnstoun came to me this day, and told that he had been in Allowa, at the earle of Mar, who had counfelled him to heare of the

particular condicions, which being agreeable to his good, fould haue his heartie content. But ye will know things best by the lairds awne letters sent heirwith. 7 Aug. 1622.

To my verie honorable good lord, my Lord
Vicount Annand, at Court.

Receaved the 17 Aug. at Elderfchote,
1622.*

CCLXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a petitioun gevin in this day to youre maiesties counfell, in nâme of James and Williame Cochranes, Archibald Hamiltoun, and Johnne Smaill, burgeses of Edinburgh, and George Duff, writer, havelie regraiting the wrong done vnto thame by that finister reporte maid vnto youre maiestie, quhairwith thay wer burdynnit to be fubornaris of the witneffis, producit in the actioun of diuorce, perfewit be the faid Williame aganis Iffobel Gichane, his spous, quhairupoun youre maiestie wes moued to grant ane warrand to the erle of Nithisdail for apprehending of thame, and committing of thame to warde, whilk wes accordinglie execute vpoun thame be the faid erle his brother. And seeing thay wer never callit to thair answer for that cryme, thay being men who ar anfuerable and obedient to the lawis, and wer never spotted with fuche vnlaughfull doingis, thay humblie defyrit that thay might be fred of thair warde, vpoun cautoun to be anfuerable to thair tryale, quheneuir thay

* In Lord Annand's hand-writing.

falbe callit. This complaint being hard and confidderit in counsell, it wes thocht, be the vniforme consent of all that wer present, that in materis of this kynd, quhair the law is patent, and iustice indifferentlie ministrat to all complenaris, that youre maiestie sould not be importuned nor fashed, bot that the pairtyis sould haif thair recourse to thair ordinair iudgeis; and towcheing this point of subornatioun obiectit aganis thir men, the tryale thair of wes proper to the commissiounaris of Edinburgh, or to the Lordis of Sessioun, incais thair concurrence had bene craued, befor whome the pairtie might haif expectit all laughfull fauour towards the discouerie of that cryme that the course of iustice wald allow. Yf way falbe gevin to priuat pairtyis, oute of thair discontented humours, to leave thair ordinair iudgeis, and to impeshe youre maiestie with thair petitionis, aganis forme and ordour, we doubt not bot youre maiestie will confidder quhat preiudice will thairupoun follow to the ordinair course of iustice, and how far youre maiestie wilbe importuned and fashed. And thairfor, we will humelie intreate youre maiestie, that in occurrentis of this kynd, to be heirafter presented vnto youre maiestie, youre maiestie wilbe pleased to remitt the pairtyis to the course of law, in the ordinair iudgement; by quhilk doing, youre maiestie wilbe fred and releued of grite importunitie and fasherie, and the ordiner forme of iustice wilbe preferued. And quhairas thir men ar responfall and anfuerable, and some of thame hes borne office of baillierie within this burgh, and we neuer hard of ony imputatioun of discredite aganis thame, it wes thairfor thocht agreeable to equitie and iustice, that thay sould be fred and releued of thair warde, vpoun cautioun, vnder grite sownes, for thair reentrie vpoun the first counsell day of Nouember. Yf, in this meane tyme, youre maiestie wald haif ony forder ordour to be tane with thame, vpoun the significatioun of youre maiesties gracious will and pleasour, it falbe obeyed. Frances Keith hes bene ane often petitionar for his libertie, and offeris cautioun to be anfuerable to his tryale, and to keepe warde within Edinburgh or a myle thairabout, vnder grite sownes; bot seeing he wes send heir by youre maiesties speciall directioun, his libertie wes refused till youre maiesties pleasour be knowne. And so, praying the Almighty God to

watche ouer youre sacred persone, and to preferue youre maiestie in
helthe and prosperitie, we rest

Youre Maiesteis most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
A. MAR.
WINTOUN.
PERTHE.

MELROS.
LAUDERDAILL.
ROXBURGH.

Edinburgh, 28 August 1622.

To the King his most sacred and
excellent Maiestie.

CCLXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By a lettre send heir frome the Archiebishop of Glasgw, we ar
certified that Mortymer, the Jesuite, prisonner in Glasgw, is havelie
diseased with ane appeiring deadlie consumptioun, and that haueing spent
all that he had, hes not now the meanis to interteine him selff, and that
he daylie cryis to be send to France, offering to aēt him self vpoun the
parrell of his heade nevir to returne; and the archiebishop inclynnis that
he falbe send away vpoun this fame conditioun, yf so it shall pleis youre
maiestie to think meete. And thairfoir, these ar humelie to requeist youre
maiestie to latt ws knowe, youre maiesteis will and pleasour in this mater,
that accordingle we may conforme oure selffis thairunto. And so, con-

tinewing oure vncessant and eirnist prayeris vnto God for youre maiesteis
lang and happie reigne, we rest

Youre Maiesties most humble and obedient
subiectis and seruitouris,

GEORGE HAY.

A. MAR.

WINTOUN.

PERTHE.

MELROS.

LAUDERDAILL.

ROXBURGH.

Edinburgh, 28 August 1622.

To the King his most sacred and
excellent Maiestie.

CCLXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE erle of Wyntoun, vpoun the returne of youre maiesteis will and
pleasoure, anent youre maiesteis grite feale and casnett, quhairof the laite
erle of Dunfermyne, youre maiesteis Chancellour and faithfull seruand,
had the charge and keeping, haueing exhibite the same befor youre ma-
iesteis counsell, who wer conuenit in a frequent number at that tyme, he
humelie desirrit, that by some autentique record, the dewtifull behaviour
and cariage of the said laite lord Chancellour, in youre maiesteis affairis
and seruice, might be testifeit and approvin, to the effect the same might
remayne to his posteritie, as a pledge and taikine of youre maiesteis gra-
tious fauour, and by the quhilk your maiestie wes to crowne the mony
grite fauouris formarie bestowed be youre maiestie vpoun him. This
petitioun being hard and confidderit in counsell, it wes thocht meete that

the fame fould be recommendit vnto youre maieftie, to whome the finceritie of that nobleman, his affectioun and difpofitioun to youre maiefteis feruice, wes fo weele knowne; and thay nowayes doubtit bot that youre facred maieftie, oute of youre awne gracious refpect towards all youre weill deferving feruandis, wilbepleafed to allow of this approbatioun. And thairfoir, we haif heirwith fend vp vnto youre maieftie, this fignatour, drawne vp in his fauour, to the effect the fame, being warranted by youre facred hand, may thairefter be pafte and expedit in counfell. Yf any thing be defectiue in the fignatour, outhir in the forme or fubftance, vpoun the retorne of youre maiefteis pleafour, it falbe reformed. And fo, with oure humble and vnceffant prayaris vnto God for youre maiefteis lang and happie reigne, we reft

Your Maiefteis moft humble and obedient
fubiectis and feruitouris,

GEO. CANCELL^s.
ROXBURGH.
A. MAR.
MELROS.
LAUDERDAILL.
GLENCAIRNE.

STORMONT.
PERTHE.
J. ERSKYNE.
WIGTOUN.
CARNEGIE.

Edinburgh, 28 Auguft 1622.

To the King his moft facred and
excellent Maieftie.

CCLXXX.—NOTE BY THE EARL OF MELROS AS TO SIR WILLIAM KEITH'S
IMPRISONMENT.

Vpon the tenth of October instant, Sir William Keith, of Ludquharne, gaue in a bill to the counfell, defiring fufpenfion of the horning

vsed against him, for his not compeirance before them, and for not entering such perfonas as he was decerned to exhibit. I produced a letter of his maiesties, commanding me to shew to the counsell, that Sir William had informed his maiestie, that there wes one whom he wes vnable to exhibite, wherby his maiestie wes pleased, that if he sould present him self and the rest, his royall pleasure wes, that paynes sould be taken to reconcile Ludquharn and his partie; and if any difficultie were found, that his maiestie sould be aduertised therof. Which letter being red, Ludquharn was called, and by my Lord Chancelar informed, that albeit the generall order required that he sould not haue any suspension till he and his complices were entered in ward, yet his knowledge of his maiesties desire to haue his troubles fetled, had moued him to stay his partie to profecute their intention, to vse caption against Ludquharn that morning, and the same respect had induced the counsell to dispense with the vsuall forme, and to grant him suspension till the first counsell day of Nouember, he finding caution, vnder the paine of thrie thousand punds, that he sould that day compeir and enter his other complices, except one, called Merhell; and that, in the meantyme, he sould remane within six miles of Edinburgh. Ludquharn answered, that he wes vnable to enter the most part of his men, some of them being dead, some gone to the Lowe Countries, and some gone to Cathnes, so as he could not bind him self to present these; neither wes he able to enter any of them, vnles he wer permitted to go to his owne house; but if that fauour were showne him, he would find caution, either to present them or enter him self. My Lord Chancelar told him, that the counsell could not consent to his going to the cuntrie, because, he being put to the horne for his and his mens not compeirance, he had gone to court, and efter his returne, had kepted his rebellious complices in his companie, and with them riddin opinlie in the cuntrie, not forbearing Mukals bounds, which prouocation had increased the parties greif, and bred sclander in the cuntrie; and for preventing the like, the counsell wald restraine him from going to the North. I prayed him to conforme him self to the counsells direction, and not to feare the danger of his cautioners, but to obey and imploy his friends to persuade or force als manie of his complices to compeir as they could; and if by that meane his maief-

tie fould sic cleir prouffes of his obedience and diligence, he had found fo cleer testimonies of his maiesties gracious clemencie, as he might vndowt-edlie beleue that his maiestie would not allow any penaltie to be exacted, which he fould vnwillinglie incur ; telling him withall, that he wes alreadie fo far in his maiesties reuerence, as, if he wer rigourousslie disposed, he might be charged with more nor his estate could beare. But he still pretending his inabilityie to do any thing if he wer not licensed to go to his cuntrie, the counsell commanded him to the towbuith. He contended earnestlie to haue ane act, testifeing his offer to find caution to enter himself or his complices, which the counsell took not well, as tending to a complaint of hard vsage, efter they had delt fo fauorable with him.*

[Oct. 1622?]

CCLXXXI.—SIR WILLIAM KEITH TO KING JAMES VI.

MOST GRACIUS AND DREID SOWERINGE,

MAY it please your most excelentt maiestie to pardone the bouldnes off me, your maiesties poore distressed subiect, and with the eye off compassion to petie and regaird my esteatte. At your maiesties commande, I come heir to the counfall off Scotland, with allis grytt expedition as I could, and ther offeritt my selff willing, in what was possablie for me, to obey ther commandmentis; whois pleasour was, that I fould nott go home, bott fett sure and responfall catione, wnder the paine of thrie thousand pound, to remaine confynned in Edinburgh, and sex myllis ther abowtt, and to the nixt counfall day, which happinis the fyft off November, to presentt wnto ther Lordshippis the holl of the committeris, fave on, off the ryatte done to Muchall, or ellis presentlie to enter my selff in presone in the tolbowth off Edinburgh: and because off the impossibilitie

* Autograph of Lord Melros.

of my gettinge off furretie to bringe in thois men, for no freind wold be cautione for me in thatt, in respect the holl men ar fled the cuntrie; wherfor I am compelled to except off the secund, to go my felff, wher I miserabillie remaine preffonar in the Tolbowth off Edinburgh, ewer to your maiesties gracios favore appeere to my releive, wheroff the raither I assure my felff, for that your maiestie heath bein graciouflic pleaffed, at Okeine, in Appryll last, royallie to favore me with the promice off a frea pardone off all: and whatt I have suffered since, in my owin persone and my freindis, is knowin to manie, and will nott now trubill your maiesties earis therwith; only my earnist wishis and contenvall prayer to God Almighty is, and shalbe, for your majesties longe and happie reine, and I am ewer

Your Majesties humbille, loyall, and obediand
subjecl,

S^r. W. KEYTHE.

Tolbouth off Edinburgh, 9 off October 1622.

To his most gratus and dread Souerane,
the Kingis most excellent Majestie.

Indorfed:

Ludquhairne, 9 Octobris 1622.

CCLXXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAUEING beene oft petitioned, on the behalff of Frances Keythe, who, be your maiesteis directioun, wes send heir in the moneth of Junij last, and hes beene prisionair in the towbuithe of Edinburgh senfyne, that outhier he might be putt to his tryall vpoun the crymes, for quhilkis, he wes

wardit, or then fred vpoun cautioun, conforme to the order, we deferred to gif anfuer to his petitionis, till the knowlege of your maiesteis pleafour, becaus we never hard frome youre maiestie concerning that mater, and nather knew the caus of his imprifonment, nor who wes his pairtie. Bot he hauing still importuned ws with his petitionis, quhairin he euer instantlie vrged his tryall, and we finding that sen his heir comeing, thair hes nather a pairtie kythed, nor no perfute nor actioun intentit aganis him; and confidering thairwithall that he wes a poore gentleman, wanting meanis to interteny him selff in warde, it wes thoght, be the whole voceis of all these of the counsell that wer present, that in a mater of this kynd, quhair thair wes nouthar a knowne perfuite nor pairtye, that the benefeit of the law could not be denyit vnto him. And thairfoir he is put to libertie, vpon cautioun for his remaning and keeping of warde within the burgh of Edinburgh and the Cannogait, till he be fred. Yf we had knowne that youre maiestie had ony entres in the buffynes, we wald not haif medlit thairin, without your maiesties allowance; and thairfoir we will craue permiffioun humelie to intreate your maiestie, that in occurrentis of this kynd heirefter, quhan pairtyis ar fend home or wardit be youre maiesteis directioun, that youre maiestie wilbe gratiouflie pleased to latt ws knowe yf youre maiestie hes your awne particulair interes in the mater, or yf it concernis priuat pairtyis, to the end, that in the one we may attend youre gracious will and pleafour, and in the other we may proceid sofar as the courfe of law and iustice will allow. And humelie craueing youre maiesties pardoun for this oure prefumptioun, and praying God to blisse your maiestie with mony lang and happie yeiris, we rest

Yourre Maiesteis most humble and obedient
subiectis and feruitouris,

GEORGE HAY.
MELROS.
MORTON.

J. HAMILTON.
R. COKBURNE.
ARCHIBALD NAPER.

GEO. ARESKYN.
W. OLIPHANT.

Edinburgh, 21 Nouember 1622.

To the King his most sacred and excellent Maiestie.

CCLXXXIII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIVED your lordships letter of the second, for the busines of Orknay. There could not haue been a more fit occasion to know the reafons of the counfels proceedings, nor when my lord Chancelar wes with his maiestie; but in that, as in all other occurring affaires, I fall strive to be with the first, in promoving all his maiesties royall commandements.

I haue also assured Sir James Bailie, that when it fall be time to wourk in Baffis busines, I fall concurre as if it were for my self.

Maister Walter Whytfoord wes on Tyfday in this towne. I haue fend to seeke him, and if he can be found, I fall make him to speake with the vicount of Air and Sir James Bailie.

I haue inquyred of Lochinvars dyet at his sone, who is come to this towne; he expects his fathers coming within thrie or four dayes, and when Herbert Maxuell comes, the mater fall be vrged to an end.

The vicount of Air* hes promised to vse diligence for perfyting the securities betuix your lordship and the earle of Niddisdail.

Your lordships affaires with the earle of Bukcleugh are fettled.

I must evrie yeare once trouble your lordship with the remembrance of that token, which his maiestie hes been gracioussie pleased to bestow, as a bontifull acceptance of my seruice, which fall euer be faithfull and diligent, and my duetie to your lordship fall be vnchangeable, as becometh

Your Lordships affectionat freind to serue yow,

MELROS.

Edinburgh, 11 December [1622?]

* Lord Sanquhar, created Viscount of Ayr 2d February 1622.

Sir Archibald and Sir Alexander Naper can testifie my readines in the busines concerning my lord and lady Ogiluies; and when the mater comes to dealing, if he apply not himself to reason, I fall leaue him to the blame and burding of his owne aëtions.

To my verie honorable good Lord, my
Lord Vicount of Annand, at Court.

CCLXXXIV.—AL[EXANDER] COLVILLE TO THE VISCOUNT OF ANNAND.

RIGHT HONORABLE,

YOUR lordship shall be aduertiffed, that he quho is presentlie Justice Clerc (the lard of Ormiston), is so afflicted with extreame aage, blindnes, and vther infirmities, that he is altogether disfinabled ather to walk abroad or discharge his place, and by all appearance, is not long to survive. And becawfe it concernis me so neir, that seruiss his majestie, as Justice deput, to be vell or ewall zoked, incace it plais God that I liwe, I hawe aduentured thir few lynis, being confident of your lordschips goodnes, that his majestie, by your lordschips information, might be the better prepared againis the importunitie of vnfit futors for that place (of Justice Clerc), quhich aucht not to be giwen to thois that futt it, bot to thois that ar vorthie of it. And as the lywis of men ar mor pretious then thair goods, so lett the vorthines of him be respected, to quhome the lywis of men ar to be trusted; for if he, quho is to be inclosed with assyfors (quho for the most part ar rud and ignorant), depending much vpon the clerck his information; if he, I say, be not a found conscientious man, and frie of baife briberie, he may prowé a pernicious instrument, and be the cawse that iniquitie may be committed, as we haw zit in memorie of on Thomas Scot of Abbotishall, quho was Justice Clerc to King James the fyft, of happie memorie, quho, being stricken with a terror of conscience,

at the hour of his death, for his ewill cariage in that place, dyed in depARATION, crying, "I am damned, I am damned." Zit among all vtheris, young men, and men of great claimis, ar most dangerous for that place.* Ceafeing farther to fasche your lordships eares, and referring all to your lordships prudence, viffing that, by a happie election of fuch ane officiar, God may gett glorie, his majestie contentment, and the people securitie, by getting right quhen thair lywis shall be in question, and your lordship praisfe and thankis for being a good instrument. Thus, resting confident that your lordship will tak my boldnes in good part, I rest

Your Lordships affectioned and
humble fervitour,

AL. COLVILLE.

Edinburgh, 20 December 1622.

To the right honorable his speciall
good Lord, my Lord Vicount of
Annan.

CCLXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE earle of Melros, youre maiesteis secretarie, exhibite this day vnto youre maiesteis counsell ane lettre, writtin be youre maiestie vnto him, quhairby youre maiestie fand fault that thair wes not ane finall

* Sir John Cockburn of Ormiston did not die till the month of June in the ensuing year. He was succeeded as Justice Clerk by Sir Archibald Napier, the first Lord Napier.

anfuer returnit vnto youre maiestie, concerning the propositioun maid be youre maiestie, that the woll of this kingdome, not draiped and wrought at home, might be fend to England and fauld thair, and no where els; and thairfoir desiring that this anfuer might with diligence be fend vnto youre maiestie. We ar forie that youre maiestie hes tane offence for this caus, feeing thair wes nothing omittit be ws, that in a mater of this kynd, wherin the whole estate hes fuche interesse, could conuenientlie be done; ffor, vpoun the refett of youre maiesteis first lettre, in the moneth of September last, we write for a number of noblemen, baronis, and burgeffis, whome we thocht to haue cheif interesse in the busynes, willing thame to be heir vpoun the 28 day of Nouember last, to haue gevin thair aduise and opinioun to ws thairanent. Whilk dyet being keepit be some, and neglectit be otheris, the few number that conuenit excusit thame selffis, that thay could do no thing thairin, pretending that the importance of the mater, towcheing so neirlie the whole bodie of the estate, requirit a more frequent meeting of some speciall personis for euerie estate, oute of the feuerall sghyris of this kingdome, where the vse of woll is most in requeist. And so that dyet haueing desertit, without ony certane conclusioun or resolution, thair wes a secund meeting appointit to be heir at Edinburgh, vpoun the xiiij of this instant, and a grite number of personis oute of the feuerall sghyris of this kingdome wer writtin for to this effect. This dyet hes beene weeke kept be all these that wer writtin for (some three or foure onlie except), and thay ar all presentlie attending, and hes thair meetingis and conference euerye day vpoun this subiect, and hes promeist to gif thair anfuer and opinioun thairanent, with the ressonis and warrandis of thair opinionis vnto ws, vpoun Twisday nixt, the xxi of this instant; vnto whilk tyme we will humelie beseeke youre maiestie to haif patience, and not to imput the caus of this delay vnto ws, who, in a mater of this kynd, conioyned with the publict interesse of the estate, could vse no gritair diligence; and vpoun Twisday, God willing, quhen the reporte of thair opinionis is maid vnto ws, youre maiestie salbe fullie acquentit with the progres of the busynes, wherin no thing salbe wanting in ws quhilk may procure youre maiesteis full contentment and satisfactioun. And so,

praying the Almighty God to preferue and blisse youre maiestie with
the continewance of mony lang and happie yeiris, we rest

Youre Maieftieis most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
MELROS.
MORTON.
LAUDERDAILL.

ROXBURGHE.
CARNEGIE.
W. OLIPHANT.

Edinburgh, the xvi day of Januair 1623.

To the King his most sacred and
excellent Maiestie.

CCLXXXVI.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIUED your Lordships tuo letters of the nynt, and deliuered
in Sir James Bailies owne hand, your other tuo sent to him, as ye desired;
and being vrged by Alexander Maxuell to haste two maffes of letters to
the Earle of Niddisdail, I haue aduertifed Sir James Bailie therof, that
if your Lordships letters requyre speedie anfuer, he may make vse of the
ocasion. My lord of Santandrois had from me the like aduertifment,
who hes promised to write. I haue not yet heard of Harbert Maxuels
coming to this cuntrie, to which time no thing can be done in Lochinvars
busines. I will not repeate what I wrote in my former letters, nor say any
farder in the mater of the greevances, but remit it to tryell of oure mans
behaiour therin, wifhing no greater happines to my self in maters of that
kynd, but that evrie mans cariage were truelie related to his maiestie,

being refolued to studie fo to proceed, that I may be anfuerable to God and his maiestie, of my faithfull intention and endeouours, in maters concerning his maiesties seruice, the good of the cuntrie, and the lawfull contentment of particular parties, who, having contrare ends and interests, can not be all pleased; and many of them, being disapointed of thair vniust desires, vent their malice by misinformations and calumnies, but honest men must rest vpon honest doings, and his maiesties wisdome and protection, and beseech God long to grant them that sheild, as I pray that he may giue yow health and happines, I rest

Your Lordships affectionat friend
to serue yow,

MELROS.

Edinburgh, 21 Januar [1623?]

To my verie honorable good Lord,
my Lord Vicount of Annand,
at Court.

CCLXXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

VPON the reseate of youre maiesteis lettres, of the xvij of December last, whiche come to oure handis vpoun the secund of this instant in tyme of vacance, whereby youre maiestie wes pleased to sett doun to ws a cleir reule how we fould deale betuix the Dunkirk and Holland shippis, lyand at Leethe and Abirdeene, to wit, that the prifonnars in the Dunkirk shippe at Leethe fould be releued, vpoun affurance to be gevin be the Hollanders, not to trouble thame in thair voyage home,

so many of ws as wer in the towne conuenit, and fend for the baillies of Edinburgh, as the perfonis whome we thocht fitteft to imploy in that buffynes, and directit thame to go to Leethe, and deale with the captaine of the Dunkirkair, that he wald releue his prifonnaris, vpoun the conditioun and affurance foirfaid. Whilk charge being performed be the baillies, thay returnit ws this anfuer, that the captaine could not deale nor capitulat vpoun thefe termes, without a warrand and directioun frome the King of Spayne, his maifter, of whome he had a fpeciall charge to tak, bot not to delyuer prifonnaris, without ranfoum. And fo that point haueing failled, vpoun the refufaill of the Dunkirkair, we thocht it needles to propone the other to the Hollandars, bot directit chargeis, with ane herauld and trumpett, aganis thame, for delyuerie of thair faillis to one of the baillies of Edinburgh within xxiiij houris, vnder the pane of youre maiefteis heigh offence and displeafour, to the intent the Dunkirkair, conforme to the custome of nationis, might haif the preuilege of tua tydis for hir faulf outgoing. This charge being execute, and with all due refpect acceptit be the captaines of the waughtaris, thay promeift to gif anfuer within the tyme appointit for thair obedience; afoir the expyreing whereof, thay, for a shoue of obedience, went oute of the harborie to the raid, where thay lay till the xvij of this instant, vpoun whilk day, one of thame returnit to the harborie, quhair fho presentlie lyis, and the other lyis fill at anker in the raid. The lyke charge being execute aganis the captaines of the waughtaris at Abirdeene, by ane herauld, with his displayed cott of armes, the captaine of the principall fhippe, callit the Admirall, gaif his anfuer, that he wes presentlie in reddynes to go to the fea, and that he intendit to wey and go out of the harborie the nixt tyde, wind and wedder ferving, and to mak his addrefse to Zeland with diligence, and fo he could not delyuer his faillis. The other tua captaines anfuerit, that thay wer directit heir be thair maifter the Prince of Orange, to attend the Spanifhe fhip, that wes thair enemey, and wes putt furthe to wrak and fpoyll thair marcheantis, and that thay durft not, vnder no les pane than thair liues, delyuer thair faillis, nor no other pairt of thair fhippis, without a warrand frome the prince thair maifter, vnto whome the fhippis, with thair whole furnitour, apperteyned. This being

the effect and substance of all thair answeris, we humelie present the same to youre maiesteis consideratioun; and quhat forder youre maiestie will haif to be done heirin, vpoun the signification of youre maiesteis will and pleafour, it falbe obeyit. And so, with oure humble and eirnist prayers vnto God for youre maiesteis lang and happie reigne, we rest

Your Maiesteis most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
A. MAR.
GLENCAIRNE.
ROXBURGH.
BUCCLEUCHE.

MELROS.
LAUDERDAILL.
LOTHIANE.
W. OLIPHANT.
J. ERSKYNE.

Edinburgh, 23 January 1623.

To the King his most sacred and
excellent Maiestie.

CCLXXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AFTER the reseate of your maiesties lettre anent the woll, haueing, by oure formair of the xij of October last, humelie presented vnto youre maiesties princelie consideratioun, the reffonis induceing ws to delay the sending of commissiounars to Lundone, for that purpois, till first we wer aduifit thairanent with some perfonis for euerie estate, who, in a mater of this kynd, wherin thair intereffe wes so important, could not be ouerseene, your maiestie wes gratioullie pleased to allow of that shorte delay of tyme, whilk wes onlie to the 28 of Nouember last, wherunto a number of perfonis for euerie estate wer warnit to be present, of whome some haueing kept the dyet, and otheris being absent, and the mater being proponned

to these that conuenit, with the best argumentis we could vse to procure your maiesties satisfactioun, thay, after some reasoning and conference amangs thame selffis, returnit ws answer, that the importance and consequence of the mater towcheing so neirlie the whole bodie of the estate, bothe in substance and consequence, required a more frequent meeting of the esteatis frome the feuerall shyris of this kingdome, where the trade and handling with woll is most vsfull; wherupoun thair wes a new dyet appointit to the xiiij of this instant, and weele kept be all these that [wer] written for (some three or foure onlie except, who, vpoun necessair occasionis, wer excused); and your maiesteis propositioun and desire being at grite lenthe oppynned vp vnto thame, and bakkit with fuche reffonis, as, in oure opinionis, wer most aggreable to youre maiesteis intentionis, and thair request to be permittit to meete amangs thame selffis, and to confer and reafoun thairupoun, being granted, thay verie cairfullie and panefullie attendit that charge, and twyse euerie day had their meetings, sometymes in publiēt, and other tymes euerie estate be thame selffis, and the more thay dipped in the busines, finding more difficultis and griter inconuenientis to ensue, thay humelie desirrit some three or foure dayis longer continewation to be aduysed thairwith; whiche being also granted vnto thame, and that tyme being lykewayes diligentlie spent vpoun this subiect, in end, thay gaif in thair reffonis, in write, of the inconuenience of that propositioun, groundit vpoun the sensible and ineuitable evillis that it will produce, alsueele to the nobilitie and burrowis, as to the poore commonis, and labourars of the ground, who, by this occasioun, will not onlie be forced to cast thair rowmes in thair maisters handis, wherethrow thay wilbe depryued of the meanis and possibilitie how to liue and to manteyne thair poore families, bot, with that, thay wilbe turned beggairs, and so become ane havy burdyne to the cuntrey, especialie at this tyme, when the whole land is more fearfullie threatned with extreame penurie and want of victuall, nor in ony other bipast yearis of oure memorie; and whilk is worfe, the cuntrey wilbe far waikned and spoylled of a great number of goode subiectis, who, bothe with thair perfonis and pursis, wer formarlie contributaris in the publiēt affaires of the estate; and it is weele knowne that the verie first brute and rumour of this intendit restreante, hes alreddie gevin prooffe of this inconuenient, in the perfonis of diuers

tennentis, who, vpoun this occasioun, hes gevin ouer thair rowmes, or forced thair maisters to diminishe thair rentis; als more particularlie youre maiestie will perfaue by the copie of thair ressonis, whilk we haif heirwith fend vnto youre maiestie. Quhilkis ressonis being at lenthe hard and confiderit at the counsell table, and euery point and article thair of, with the groundis and warrandis of the same, being narrowlie examined and difficult, we, in oure waik iudgement, fand the ressonis to be so pregnant, and the inconuenientis so cleir and manifest, as hardlie could we mak ony obiection thairunto, bot ar constrayned humelie to craue permissioun to represent the same vnto your maiesties heigh and excellent iudgement, by whose vn-speakable wisdome, and cleir seing iudgement, the mistereyis and doubtis that ar conceaued vpoun this subiect may be visibillie discouerit, and your maiesties subiectis, who, vpoun the apprehensioun of this intendit restraint, ar generallie towched with extreame feare and greif for the effectis of so dangerous a propositioun, may in some measour ressaue satisfactioun; ffor we wilbe bauld to assure your maiestie, that the feare wherewith all men ar generallie possest in this mater is so extreame, that the lyke hes not occurrit thir mony yeiris ago in this kingdome. And yf we wald prefoome be oure selffis, without the consent of the esteatis, to send commissionars to treate and conclude vpoun this subiect, without ony respect to thame, whiche, neuirtheles, yf so your maiestie be pleased absolutlie to command, we will humelie obey, we must beg pardoun to declair, that we sie euidentlie, that we shall incur the sclander and generall haitrent of the whole cuntrey, as consentaris to that vniuerfall harme, whiche, thay ar perswadit, is maid vndeniable manifest to euery one of ws be thair discourses and thair articlis in write. We ar not ignorant that your maiestie, by your royall power and prerogatiue, may command that to be done whiche, out of your gracious respect to this your natiue cuntrey, yow haue beene pleased rather to suspend, till your maiestie wer informed of the opinionis and reasonis of your faithfull people; and yf thay, being now insinuated to your maiestie, do not appeir sufficient, oure submisse aduyce is, that your maiestie might rather be pleased to signifie to ws the meanes whereby the course of sole transporting of all oure wolls, not draped in this kingdome to England, may be showne to oure people not to tend to that irreparable losse whiche thay vehementlie apprehend, nor to inioyne a preceis

and present performance of the desire of our neighbour cuntry, that our people, being thairby cleared of thair mistaking, and freed of thair so extreme feare of infinite prejudice, may by reason be convinced of thair errors, and induceit to a hearty obedience. To send commissioners to treat, caryeing a resolution not to conclude, appeiris more likelie to crosse the buffynes and offend the partyis, nor to bring it to any goode conclusion; nather expect we, that any commissioners to be sent, will undertake the charge, with intention to exceede the particular instructionis to be gevin to thame, not thinking thame selfis capable to furneis replyis beyond the informationis gevin to thame. Last, yf the purpos it self were more indifferent and les dangerous nor it appeiris, no tyme could be chosen so vnfit for treating of it as the present, quhill we are so destitute of victuall of our awne, and moneyis to buy the forayne; and thairfor, albeit your maiestie think the mater probable, the tyme, in our weak iudgment, appears extreamelie vnfit. All whiche we must humelie submit to your maiesties most excellent iudgment, onlie requesting that your maiestie will be graciouslie pleased to accept in goode part our faithfull endevoiris heirin, wherein no thing wes omitted be us whiche to the duetie of goode and faithfull seruandis apperteyned. And so, praying the Almighty to wathe our and protect youre sacred persone, and to blisse your maiestie with many lang and happy yeiris, we rest for euer

Your Maiesties most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
ROXBURGH.
MELUILL.
A. MAR.
MELROS.

CARNEGIE.
GLENCAIRNE.
BUCCLEUCHE.
W. OLIPHANT.
LOTHIANE.

LAUDERDAILL.
CRANSTOUNE.
J. ERSKYNE.
AR. NAPER.

Edinburgh, 23 January 1623.

To the King his most sacred and
excellent Maiestie.

CCLXXXIX.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

BECAUS I haue been ane ey witnes to Maister Thomas Nicolfons kind readines to take burding in your lordships affaires, when the earle of Winton and others, of great place and respect, were parties, or had interes in the contrare, I think it my dutie to remember it when his affaires requires your lordships help, as now ane particular concerning the heritable gift of postmaister at Cokbrunspeth offers occasion. The only obiection that is made, is his maiesties vnwillingnes to make heritable offices; but he seekes no office, but only a seruice, without pouer, or iurisdiction, or commandement, wherby he and his aires will be subiect to serue his maiestie and his subiects. When I dailie find the preiudice of his maiesties seruice by the defaults of postmaisters, I wish that all the stages in Scotland and England were assured of seruice by such men as he is; for when I regrate or compleane of the postes faults, I am forced to desist, when I heare that, wanting there pay, and not having meanes of there awne, there pouertie must be accepted for excuse, which his sute will remoue for that stage, and procure assurance of good seruice to his maiestie for his part. All his benefite will be to frie his tennents duelling there, from the danger of oppression of powerfull nighbours; and since I haue knowne much of his affection to do your lordship heartie seruice, I will pray your lordship let him find the frutes of your lordships goodwill in this particular, as an earnest of the like fauour, when he fall haue a better turne to do. So, wishing your lordship all happines, I rest

Your Lordships faithfull friend to serue yow,

MELROS.

Edinburgh, 25 Januar. [1623?]

To my verie honorable Lord, my Lord
Vicount of Annand, at Court.

CCXC.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I HAUE receiued your lordships letter, concerning onlie your lordships lands of Theruik, and your decreit aganis Capten Johnston, wherof I haue spoken to Maister Thomas Hope, who hes promised to fie the estate therof, and prosecute the order, as also that he fall compeir in any action that may concerne these lands, to the effect your lordship may be secure by your owne rights, and be free of any other mans danger or courtessie therein. I know the thesaurar depute and aduocat will assuredlie obey his maiesties command in the action wherof your lordship writes, and I fall discharge the dutie I owe for his maiesties interest, and your lordships, to my power.

I haue heard that my lady Rofs, elder, hes dealt with Robert Home to befriend her in the blok of Bagone, and promised to be thankfull to him if sho prevaile in it. I am also informed, that the reuerfion is not so expyred but that Bas, or others having right for him, may get it supplied and made valide; which I haue thoght fit to aduertise according to my dutie, which fall make me euer to remaine

Your Lordships affectionat freind to serue yow,

MELROS.

Edinburgh, 30 Januar. [1623?]

To my verie honorable good Lord, my
Lord Vicount of Annand, at Court.

CCXCI.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

MAISTER Thomas Hope hauing told me that he would perfew your emoving, but if the improbation concerned your lands, he could not ferue yow in that cause, be reason he wes imployed by the other partie to make his securities, and to forme his summonds of improbation, which cannot permit him of dutie to refuse to assit him, whervpon I willed fir James Bailie to deale with Mr Thomas Nicolson, and, if he haue any lafull excuse, some other of best fort will be imployed. I beleeeue that the thefaurar depute and aduocat will do their dutie, as they are commanded by his maiesties letter. Sir James Bailie told me, that Mr John Pape had offered to affigne to your lordship his compyrnyng and right of Bafs his lands, vpon reasonable condicions; wherein my opinion is, that if your lordship find Bafs willing to bargaine fairelie with your lordship, ye embrace not any offer of this kynd to skarre him; but if your lordship find in him either vnwillingnes or shifting delayes, withowt hope of reall dealing vpon his part, ye may remit to your friends and lawers the confideration of the securitie which may be had of these lands, if ye haue ane intention to purchase them, by whatfoeuer lafull meanes may be offered. And so, if your lordship be out of hope to settel with Bas, and desire other meanes to attaine to the bargane, none can seeme so fit as to agrie with the compyrsars and others, who haue good wodfets; which I remit to your lordships confideration, and vpon knowledge of your lordships resolution, I fall giue all the assistance that can fall in the pouer of

Your loveing affectionat friend to ferue yow,

MELROS.

Edinburgh, 6 Februar [1623?]

After wryting heiroyf, I haue receiued from Mr John Olifant the buskins and gloues, wherby your lordship hes armed me against the extraordinar cold of this seafon, which oblifes me to imploy hands, feet, and heart and all, to performe your lordships commandments.

To my verie honorable good Lord,
my Lord Vicount of Annand,
at Court.

CCXCII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to your maiesties directioun of the xiiij of Januair laft, the captanes of the Dunkirk and Holland fhippis, lyand at Leethe and Abirdeene, being chargeit to the xj of this instant, the buffynes wes conuayed and caryed with fuche fecrecie, as nane of ws, bot thefe whom your maiestie trusted thairwith, knew of the fame, till it wes broght to the counfell table, quhen the pairtyis wer to gif thair compeirance. The Dunkirk captanes kepted the dyet; the Holland captanes at Abirdene fend thair excufe in write in the Flemis language, the copie quhairrof, treulie translated (althoght vnworthie of your maiesties fight), we haif heirwith fend vnto your maiestie. One of the Holland captanes at Leethe compeirit lykeweyes, whose fhip lyes in the harborie, and he excusit the abfence of his collig, who is his admirall, and lyes in the raid, be reffoun of seeknes. We first delt with the Dunkirk captanes, and proponned vnto thame your maiesties ouertour anent the furetie of thair depairtour and preuilege of tua tydis, vpoun condition of delyuerie of thair prifonner, quhairunto thay acquiefceit. Thairefter we maid this fame propofitioun to the Hol-

land captane, whilk, we enforced with fuche reffonis, as we thocht fittest to cleir your maiesties doingis, to be aggreable to iustice, and to these respectiue dewteis of honnour and correspondence whiche your maiestie indifferentlie keepis with all your freindis and confederatis, and whereunto the custome of nationis in materis of this kynd dois anfuer. His first obiectioun wes anent the ranfoum of the prissonars alreddy releued, alleging that no thing fould be procedit in this buffynes till these ranfoms wer repayit; and one Dauid Jonkeene, marcheant in this toun, who advanceit the ranfoms, and hes a procuratorie for repetitioun of the fame, produceit three bandis, vnder the signett of Peter Vanverrane, captane of the Dunkirk ship at Leethe, proporting, that yf your maiestie fould send ony aduise or directioun anent the releif of the prissonars, or ony of thame, that he fould pay bak the whole ranfoms. Thir bandis being showne vnto the captane, and the performance of thame instantlie vrgeit, he acknowlegeit the bandis to be his awne, bot declynnit the redelyuerie of the ranfoms without a warrand frome the Infanta, or the Spanishe ambassadour, resident with your maiestie: whilk being proponned be ws to the Holland captane, and he vrged with a present anfuer of obedience or refusall, he excusit him self vpoun the absence and seeknes of his admirall, lyand in the raid, and desirit xxiiij houris continewatioun to be consultit and aduised with him thairanent, promissing that thay fould bothe come and gif thair anfuer (yf the healthe of the admirall wald permitt). This shorte delay being grantit, and the dyet kept be the captane, he maid his formair excuse vpoun the seeknes of his admirall, and still insisted vpoun that point anent the ranfoms; wherupoun, he being demandit yf he and his admirall, and thair colligis at Abirdeene, wald gif obedience incais the prissoner wer releued, and the ranfoms payit bak, and quhat assurance thay wald gif for that effect, he declynned the geving of ane present anfuer, and desirit a note of the propositioun in write, to the end he might commvnicat the fame to his admirall, and be aduisit with him thairanent, promissing to gif answer vpoun the morne thairefter; in whilk point being lykewayes satisfieit, and no forder delay being expectit, he returnit ws this

anfuer, that thay durft not medle in that mater without the aduife of thair colligis at Abirdeene, who had equall intereffe with thame in the buffynes, and thay promeift to reporte a direct anfuer, bothe from thair colligis at Abirdeene and for thame felffis, vpoun the xxv of this instant. Wherupoun, we haueing enterit in confideratioun quhat wes nixt to be done, and haueing refpect thairwithall to your maiefties princelie command and directioun, the effectuating wherof to your maiefties honnour and credite of the cuntrey wes earniftlie wifhed be ws, yitt, we could not foirfee how the fucces could prove anfuerable to your maiefties contentment; ffor yf we had arrested this one captane who gaif his compeirance, his admirall, who is lying in the raid, and who is ftronger and more pouerfull nor he bothe in men and mvnitioun, and thair colligis at Abirdeene being loufe and free, the detentioun of him wald in no caife haif infured the tua Dunkirkars, nor maid thair departour frome henfe free and peceable: and it is lyke aneugh, that vpoun this occafioun the fhippis of this cuntrey, who ar bothe ritche, and mony of thame oft tymes in the Lowe Cuntreyis, wald haif vnderlyne fome trouble, it being weeie knowne that one of oure fhippis that tradis in Flanders is worthe foure of the beft Holland fhippis that comes heir; and we haueing foundit the opinioun of the baillies of Edinburgh, anent the executioun of that point of your maiefties directioun whilk concernit thame, thay pretendit bothe difficultie and dangeir in the mater, and hardlie wald thay haif bene induceit to vndertak fuche a charge. The confideratioun wherof moued ws to yeild to the faid continewatioun till the xxv of this instant, and we haif fend new chargeis to the Holland captanes at Abirdeene to keepe this dyet, with a directioun to the magiftrates of Abirdeene to caufe this charge be execute, and the fubftance of the fame to be delyuerit to the captanes in thair awne language, that thairby no new friuolous excufe be pretendit vpoun that occafioun. And fo, humelie befeeking your maieftie to accept in goode pairt oure fimple endeouiris in this buffynes, wherin the tender regaird of your maiefties honnour, the credite of the cuntrey, and the difficultyis to bring your maiefties directioun to the wifhed end, wes the onlie caufe induceing ws to this con-

tinewatioun. We pray God lang to preferue your maiestie in healthe and happynes, and we rest for euer

Your Maiesties most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
MELROS.
R. COKBURNE.
J. HAMILTON.
A. MAR.
LAUDERDAILL.

W. OLIPHANT.
A. HAMILTON.
ROXBURGH.
CARNEGIE.
KILSAYTH.
J. ERSKYNE.

Edinburgh, xv February 1623.

To the King his most sacred and
excellent Maiestie.

CCXCIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

By youre maiesteis lettres of the fyft, whilk come to oure handis the xij of this instant, we perfaue, to oure exceiding grite greiff, that youre maiestie hes tane offence at the delay of sending vp commiffionaris

to treate vpoun the mater of the woll, fo cairfullie recommendit be youre maiestie vnto ws; and oure regrait is fo mutche the gritare, that the sinceritie of oure most faithfull and humble affectioun to youre maiesteis seruice, hes not producit the effectis wished be ws, of youre maiesteis gracious acceptatioun, according to oure sincere intentionis, onlie respecting youre maiesteis honnour and goode of oure cuntrie, wherein the mony-fauld prooffis of youre maiesteis faderlie cair, ever watcheing and prouyding for the happynes of this estate, assuris ws that youre maiestie will ever accept gratiouflic all that tendis to the fame, and vindicat ws frome the haitfull concepcioun of ony course tending to the contrarie. And we will humelie beg pardoun to protest vnto youre maiestie, that thair never enterit ony fuche disloyall thoghtis in oure hairtis, as myght infer ony suspitioun of youre maiesteis neglect thair of, oure awne consciences beareing ws witnes, that yf we had offendit in that kynd, oure erreure had beene bothe wittinglie and willinglie, aganis the light of oure knowlege; nather did we absolutlie refuse to send vp commissiouners, bot, in all submissiue reuerence, represented vnto youre maiestie the feare and greevis of youre maiesteis subiectis, and oure simple opinionis how thair mistaking and feare might be obuiai and cleired by youre maiesteis cleir and excellent iudgement, that thairby, thay might with reasoun haif bene induceit to a more hairy and willing obedience: offering oure selffis neuirtheles redly, be oure lettre of the 23 of Januair last, to gif youre maiestie contentment, by making choise of commissiounaris for the said treatie, vpoun the first returne of youre maiesteis pleasour; lyke as, how soone youre maiesteis lettre come to oure handis, we maid choise of the duke of Lennox, the marques of Hamiltoun, the earlis of Kellie and Carlile, with the laird of Balvaird, and Mr Johnne Hay, to treate of this buffynes. The last tua will, God willing, begin thair iornay within eyght dayes, and will mak fuche diligence thairin as possiblie thay may. And so, most humelie beseeking youre maiestie to haif a gracious and fauourable consideratioun of oure procedingis, and of the sinceritie of oure affectionis to youre maiesteis obedience, whose contentment, in euery thing belonging to ws, and to the truste that youre maiestie hes reposed of youre affairis in ws, is more

pretious and deir vnto ws nor ony thing els, we pray the Almightye God to
blisse youre maiestie with mony lang and happie yeiris, and we rest for ever

Youre Maiesteis most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
MELROS.
R. COKBURNE.
A. HAMILTON.
A. MAR.
LAUDERDAILL.
W. OLIPHANT.

J. HAMILTON.
CARNEGIE.
KILSAYTH.
ROXBURGHE.
J. ERSKYNE.
MELUILL.

Edinburgh, 15 February 1623.

To the King his most sacred and
excellent Maiestie.

CCXCIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to youre maiesteis directioun, we had maister Williame
Kellie befor ws, and earnestlie delt with him to make surrender of these
landis boght be him frome the earle of Huldernes, and quhilkis youre
maiestie gifted to the said earle, in remembrance of that worthie seruice
done be him in the treasoun of Gourye; and we shew vnto the said maister
Williame, that youre maiesteis purpois, and the intentioun and meaneing
of youre esteatis, in the granting of these landis to the said earle, wes, that
the same shold haif remanit with him and his posteritie, as a pleadge and

taikine of your maieſteis bontie and fauour for ſo notable a ſeruice : bot feeing now the ſaid earle had diſponit the ſaidis landis fra him and his poſteritie, ſua that the remembrance of youre maieſteis princelie bontie in that mater ceaffis, youre maieſtie had verie goode reaſoun, in honnour and iuſtice, to returne to youre awne landis (paying to the ſaid maifter Wi-
liame the ſowme that he gaif for thame); and we haueing vrged him with a preſent anſwer, he declairit that he wald fend his anſwer to the ſaid earle of Huldernes, fra whome he doubteth not bot youre maieſtie will reſſaue ſatiffactioun. And ſo, praying the Almightye God to bliſſe your maieſtie with a lang and happie reignne, we reſt for euer

Youre Maieſteis moſt humble and obedyent
ſubieſtis and ſeruitouris,

GEORGE HAY.
MELROS.
W. OLIPHANT.

Edinburgh, xv February 1623.

To the King his moſt ſacred and excellent
Maieſtie.

CCXCV.—THE LORDS OF PRIVY CO UNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THIS nobleman, the Lord Coluill, haueing a purpois to go to France, and be the way to kiſſe your maieſteis hand, for folliciting the reeſtabliſheing and ereſtioun of the Scottiſhe gaird and Scottiſhe compa-
nie of men at armes, according to thair firſt intitutioun, and the Franſhe king his promeis of tymes made to that effect, the ſaid lord, for the

better advancement of the buſſynes, hes maid earniſt fute vnto ws, that we wald not onlie recommend him and this his honorable purpois vnto your maieſtie, bot thairwithall that we wald intreate your maieſtie to accompanie him with your awne lettre to the Franſhe king for the furtherance of the mater. We haueing at lenthe hard him vpoun this ſubieſt, and acknoulegeing his generous diſpoſitioun and tender reſpect to the credite of his natiue cuntrey, and preferuatioun of the preuilegis of the ſame, for procureing whereof, he weyreis not now, in his auld aige, to vndertak ſo lang and dangerous a iornay, we all allowit of his motioun, and will prefoome humelie to recommend him to your maieſties gracious and fauourable acceptance, and will crave permiſſioun to intreate your maieſtie, that, after conference with him ſelf vpoun the probabillityis and likliehode of this his purpois, your maieſtie wilbe pleaſed to accompanie him with ſuche lettres to the Franſhe king, as your maieſtie, in the excellencie of your princelie wiſdome, ſhall holde fitting; and we ar perſuadit thair wilbe no thing wanting in the nobleman, whereby his trauellis and endevoiris in this mater may bring the ſame to a goode concluſioun. And ſo, with the continewance of oure vnceſſant prayars vnto God for your maieſteis lang and happie reigne, we reſt for ever

Your Maieſteis moſt humble and obedient
ſubieſtis and ſeruitouris,

GEORGE HAY.
MELROS.
J. HAMILTON.
A. MAR.
LAUDERDAILL.
A. HAMILTON.

W. OLIPHANT
CARNEGIE.
ROXBURGHE.
MELUILL.
KILSAYTH.

Edinburgh, 20 February 1623.

To the King his moſt ſacred and
excellent Maieſtie.

CCXCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING by oure formar lettre, of the xv of this instant, acquentit youre maiestie, that we had maid choise of the Duke of Lennox, the Marques of Hamilton, the Earlis of Kellie and Carlile, and of the beararis heirof, the Laird of Balvaird and Maister Johne Hay, for the treatie anent the mater of the woll, we layed this charge so hardlie vpoun thir tua last perfonis, and vrged thame with the necessitie of fuche a quick and speedie depairtour, that thay wer forced, notwithstanding of mony laughfull impedimentis, notour vnto ws, to vndertak the charge, without haueing conuenient tyme and laiser to be consultit and aduysed with the particularis that the importance of fuche a bussynes required; wherein seeing the schortnes of tyme hes preiudgeit thame of the helpis and informationis that wer necessair for this treatie, we mon be bauld, in all reuerence, to crave of youre maiestie, that this defect may be suppleed by youre maiesteis rare and excellent iudgement, and that youre maiestie wilbe gratiousslie pleased to assist thame with fuche light and directioun, in the conduct and handling of this mater, as youre maiestie, oute of youre princelie and tender regaird of the weele of this youre antient kingdom, shall think meete, quhairthrow thay may be encouraged and strenthned to go forward in the treatye, with fuche dexteritie and foirfight, as may procure youre maiesteis satisfiactioun, and the credite and weele of this cuntrey. And so, in sinceritie of most humble and submissiue affectioun, praying the Almighty God to watche ouer youre sacred

perfone, and to bliffe youre maiestie with a lang and happie reignn, we
rest for euer

Youre Maieftieis most humble and obedient
subiectis and feruitouris,

GEORGE HAY.
HAMILTON.
R. COKBURNE.
A. MAR.
ROXBURGHE.
MELUILL.

MELROS.
W. OLIPHANT.
LAUDERDAILL.
KILSAYTH.
CARNEGIE.
J. WEMIS.

Edinburgh, 22 February 1623.

To the King his most sacred and
excellent Maiestie.

CCXCVII.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

THE letter wretin by James Douglas, by youre maiesties direction, to the Lord Chancelar and me, aduertising ws of his highnes suddaine journey to Spaine, being sent by my Lord Chancelar to me, I no fooner vnderstood thereby your royall pleasure, that sinister rumours of that vnexpected resolution might be suppressed, and als litle speech of it dispersed as could be, but foreseing that sermons were to be made the next

day, in all the churches of this towne, I presentlie sent for Maister William Struthers, and directed him to warne all his colleagues to forbear all mention of that mater, till, by better occasion of knowledge of your maiesties will, they might vnderstand how to behaue themselves dutifullie, in a pourpose of such moment. And incontinent thereafter, I dispatched to the archibishops, to take the like order with the ministers of there prouinces, which wes all, that, in a case so much perplexing my mind, I could conceiue to be most fit to effect your maiesties pleasure; albeit I feare it fall not wourk so fullie as I could wish, because the abuse of the posts, of whose slownesse I haue many times compleaned, hes, in this occasion, answered my apprehension: for that letter sent to ws, being directed from Newmarket, by packet, for life, the 21 of February, at eight at night, came not to me till the first of March at six at night, the information of his highnesse journey being knowne heir too dayes fooner, alswell by letters from London, as by relation of such as came from London to this towne by sea, by which meanes the rumour being so disperfed, nothing now resteth, but to make the best constructions that may be thought of, till we fall know your maiesties particular directions, which I humbly desire may be with diligence. And in the meantime, I fall adde to my incessant prayeris for your maiesties long and constant prosperities, my faithfull and heartie petitions to God, that his highnesse journey, fraughted with our feares for the great trauell and manifold dangers incident to that passage and returne, may tend to his honour and safetie, and your maiesties contentment, and fall, till my death, remaine

Your sacred Maiesties most humble, faithfull,
and bund subiect and seruant,

MELROS.

Edinburgh, 3 March 1623.

To the Kings most sacred Maiestie.

CCXCVIII.—EARL OF MELROS TO LORD VISCOUNT ANNAND.

MY VERIE HONORABLE LORD,

I receiued your lordships letter of the fourt, with the submission exped, wherby your lordship hes expreffed uerie generouſlie your conſcientious intention in that queſtion; and if the partie anſuer it not with all reaſon and dutie, your lordship will reape greate aduantage in the approbation of all honeſt men. I cloſed your lordships letters, and delivered that to the Earle of Roxburgh, who, after reading of it, moſt willinglie promiſed to be arbitour for your lordship, to attend the buſines, and proceed by informatioun of Sir James Bailie and your lawers. I gaue to Sir James Bailie the other, to be ſent to the Earle of Buckleugh, willing him to haſte it with one of his oune, deſiring him to come to the towne with diligence, to proceed and bring that mater to ſome end. Maifter Robert Burnet told me, that a coſen of his, of his owne name, would ſupplie his abſence. I haue willed him to diſcharge the witneſſis to come in vpon the 22 day, which was aſſigned to them.

I ſpake with the Earle of Mar for your lordships precept, and finding, by his anſuer, how ſmall hope there wes of moneyes, vrged that ſo much might be aduanced as might buy the materials which I vnderſtood by the maifter of work to be neceſſair; but, before God, I ſie litle poſſibilitie at this time, inreſpect of extreame ſcarcitie of moneyes, and infinit preceding burdings inioyned to the officers. The Vicount of Air wes gone before your lordships letter came. Lag is ſtill heir. Maifter Robert Burnet hes ſent to ſtay the witneſſis. As occaſion fall be offered, your lordship fall be farther aduertified by

Your Lordships obedient friend to ſerue yow,

MELROS.

Edinburgh, 12 Merch, at night [1623.]

To the verie good Lord, my Lord
Vicount of Annand, at Court.

CCXCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOURE maiesties lettre of the sevint of August last, towcheing the cancelling and deleiting oute of the bookis of preuie counsell, the exemptioun grantit to the Laird of Johnnestoun frome the Earle of Nithisdail, his commissioun and iurisdiction ouer the middleshyris, come not to oure handis till the 28 day of Januair thairafter; and after that we had confiderit thair of, and of the ressonis induceing ws to grant the said exemptioun, wherein, we had no other respect bot your maiesties obedience, the peace of the cuntrey, and the preuenting of occasiounis, whilkis might walkine and steir vp new troubles; and remembering thairwithall, that the earle himself wes present at the granting of this exemptioun, and hard to obiekt aganis the same, and who in a maner acquiesceit thairunto, we thocht the mater to be of that importance, that it required the laird his awne prefence and heiring, and thairfoir we appointit him that day eyght dayis to compeir and ansuer; whilk dyet being kept be him, we proponned and shew vnto him the equitie of your maiesties command and direction, groundit vpoun the reconciliatioun maid betuix the said earle and him, whereby all occasiounis and suspitioun of partiall and wrangous proceedingis on the said earle his part wer remoued, and that your maiestie wes so far persuadit of the said earle his honorable behauour and cariage in that buffynes, and that, by his vpriht proceedingis, he wald so labour to foster your maiesteis goode opinioun of him, as he will stryve to merite your maiesteis forder fauour; wherunto the said laird gaif his answer in write, propoting, in substance, that althocht he distrustit not the honnour and credite of that nobleman, and wald tak no exceptioun aganis him, bot could weeie rely vpoun his faithe and honnour, yitt the malice of certane his freindis and followars aganis some of the name of Johnnestoun, wes als freshe and violent at this tyme as

at any tyme frome the beginning; and for prooffe thair of, he gaif tua instanceis of wrongis committit aganis some of his freindis, be Johnne Maxuell, callit of Castelmilk, one of the speciall perfonis whome the said earle hes entrusted in the executioun of some pointis of seruice, concerning the said commissioun. The first thair of, committit within the burgh of Drumfreis, on a mercatt day, aganis a seruand of the laird of Wamphrais, who wes schote through the thie with a pistoll be the said Johnne Maxuell; and the other committit aganis Williame Johnnestoun of Locarbie, who wes perfewit be the said Johnne, in his awne hause, vnder silence of night, and his man, Alexander Harknes, deadlie hurte. Thir tua pointis being referrit to the lairdis probatioun, and a terme assignit to that effect, in the moneth of Februar last, that dyet desertit vpoun the said Johnne Maxwell his absence, and a new term and dyet wes appointit to the xxvij of this instant; whilk dyet being kept be bothe pairtyis, the laird referrit the tua pointis foirfaidis to the said Johnne his oathe of veritie, who, being deiplye sworne, deponit anent the first point, That he being in the burgh of Drumfreis the tyme libellit, and rydeing home with ane other gentleman, throug Lochmaben streit, thay rancounterit accidentlie, in the narrow vennell, with some of Wamphrais seruandis; and the gentleman and thay haueing fallin in some altercatioun of wordis, and fra wordis to straikis, the said Johnne lighted and drew his sward, and thair wes schoitis and straikis on ather fyde. And anent the other point, concerning Will of Locarbie, he declairit, That he being informed that one Huntair, a fugitiue, wes in the said Will his hause, he went thair to seeke him, and, in your maiesties name, commandit the yettis to be maid patent vnto him; and this Harknes comeing oute, and preassing to flee away, and the said Johnne suspecting him to be the fugitiue, he followit him, bot knowis not yf in the following he wes hurte. This being the effect and substance of the said laird his ansuer, aganis the recalling of the said exemptioun, and of his verificatioun of the same, in maner foirfaid, befydis some verball discourffis, whilkis he had at the bar, all importing a vehement feare that he apprehendis, yf ony of the said earle his freindis and followaris, falbe armed and cled with your maiesties royall pouer and authoritie ouer him and his freindis, for whome he is ansuerable to

exhibite thame to thair tryall befor the rest of the commiffionaris, at ony pairt outwith the burgh of Drumfreis, we humelie present the fame to your maiesties confideratioun, and quhateuir youre maiestie falbe pleafit to command thairin, vpoun fignificatioun of youre maieftis royall will and pleafour, falbe obeyit. And fo, praying God to watche ouer youre sacred perfone, and to prolong your bliffed reignn with mony happie yeiris, we rest for euer

Youre Maieftis most humble and obedyent
fubiectis and feruitouris,

GEORGE HAY.
MELROS.
R. COKBURNE.
J. WEMIS.
A. MAR.

LAUDERDAILL.
W. OLIPHANT.
LOTHIANE.
CARNEGIE.

Edinburgh, the last of Marche 1623.

To the King his most sacred and
excellent Maiestie.

CCC.—THE LORD CHANCELLOR AND EARL OF MELROS TO
KING JAMES VI.

MOST SACRED SOUERANE,

WE haue this day receiued your maiesties letters of the 25, directit to your maiesties thesaurar, aduocat, and ws. They being absent in the cuntrie by occasion of the vaicance, we haue writin for them, and expect there returne in the beginning of the next oulk. We fall then impart the letters to them, and concur to the faithfull, secret, and speedie

execution of your royall commandments, and giue due and timelie accompt of our diligence. So, befeeching God to grant your maiestie many prosperous and contented yeeres, we rest *

Your Maiesties most humble and faithfull
subiects and seruants,

GEORGE HAY.
MELROS.

Edinburgh, penult May [1623?]

To the Kings most sacred Maiestie.

CCCL.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUVERANE,

THESE thrie or foure dayes wee haue beene in an exercise, wherof the counsells lettre will giue your maiestie an true accompt, but I hope your maiestie will be gratiouſlie pleased to pardone me, by relation of all circumstances, to performe the particulare charge of the place, wherewith your royall bountie had graced and trusted me. Vpon Sunday the fourth of this moneth, the Dunkirk shipp, whiche had long loitred in the harbrie of Leith, intended to goe to sea for their returne to their owne port; the experience of alevin moneths stay here gaue them faire opportunitie, to know the estate of oure harbrie, and the firth, and coaste adiacent; they had formerlie made to sea, but at their owtgoing of the port, leaving the vsuall channell kepte by all other shippes of this cuntrie, and of the Hollanders, who, during that space, many times entred and went out to sea, they turned to the east hand, to a shald visible to evrie mans

* Autograph of Lord Melros.

eye, and their strikeing vpon ground, lay two tides vnder the marcie of two of their ennemies shippes; and so having lost the opportunitie of the heigh streame (the onlie time gevin possibilitie of their going to sea), wer, by help of your maiesties subiects, towed back for their saiftie to the harbrie, where they stayed till Sonday last, and then making owt in the night tide, leaving, as at their first essay, the ordinarie channell, they tooke their course as before, and strake vpon ground in the verie place of their first misfortune; whiche all think to haue beene done of purpose to make shew (for satisfieing, and in effect abusing their princes) of obeying their comandement in their returne, and in effect to find pretexte of their stay here for eshewing danger of combatt; and many say that their pilote, a Scottisman, having tolde them publictly that the course commanded by them to be kepte by him wes their manifest vndoing, the captane, drawing his sword, threatned to kill him, yf he went not the way commanded, whiche occasioned all that followed; and after they were by that meanes vndone, before they left their shipp, they strangled the pilote, leaste he should manifest their treacherous cowardise. The trueth of this wil be knowen, and shalbe advertised when the poore pilots murther compleaned of to vs shalbe tried. So soone as the Hollanders perceiued their advantage, they drew neir, and beganne to perfew their ennemie with all haste. My Lord Chauncellour, getting knowledge of the combatte begunne when he was going to fermon, sent for the clarke of counsell and ane herauld, and directed a charge to the Hollanders to forbear invasion within the beakin of Leith, and in the verie entrie of the harbrie, for the Dunkirkar wes not a pare of buttes lenth owtwith the peere. The water baillie of Leith could hardlie, after much diligence, move any boate to carie the herauld to the strangers; and when he come and vsed his office to the neereft Holland shippes, he obtaned no obedience. Soone after twelue a clock the Chauncellar went to Leith, with him the Clark of Register and I, fand the earles of Morton, Lothian, and Bukcleuch, and there, wee all resolued to renew oure charge, whiche being executed, the Holland admirall, being fardest from their enemye, did forbear any more shooting, but the other, to whome the charge was first given, still persisted in his disobedience; and so long as the water served, he vsed all

hostilitie. Many houres before that time, Sir James Makoneils bastard, and others with him, pretending a desire to haue help from land, cam ashore, but neuer offered to returne to their shipp. Two Heiland men, stripping themselues naked, swamme to land, vnder the perrill of their shippes shot directed against them, when the sea barred the Hollanders from further perfute, the whole Dunkirk kippage came to land, abandoning their shippe to spoile, onlie curious, as appeared, to save themselues, their cloathes, swordes, and muskets; bot the rascalls of this cuntrie wer so barbarous, as they fell to spoyle so mercilesly, as my Lord Chancellor and some noblemen with him, being in the sands, could nather, by authoritie nor strokes, stay the disorder. Oure rascalls entred the shipp and vsed spoyle, and seeing some Hollanders come in their boates, left the ship voyde, whiche wes seased and furdur spoiled by these strangers, who, having placed the Prince of Orange coulours, and made such havock as they pleased, tooke downe the coulours, and retired to their shipp. Then the lords commanded some of oure people to enter the shipp for hir safetie, and directed charges, by proclamation, to the towne of Edinburgh, commanding them, vnder the payne of treason, to put their people to armes to come to Leith, to obey the counfells directions, for your maiesties seruice; and sent Sir Archibald Naper to see it obeyed, and to cause some cannon, with all furniture, to be broght from the castle of Edinburgh with all diligence. Commanding also, by oppin proclamation, the baillies of Edinburgh and Leith to gett all the workemen of both townes, to bring downe the ordinance. Proclamation wes also made in Leith, that all who should dilate to the clarke of counsell any who had spoyled of the Dunkirkers goods or armes, or reset them, to bring them to the baillie to be restored to their owners, vnder the payne to be repute theeves, rebelles, and resetters of thift, and promifeing to such as should dilate and furnishe probation, that the escheate of the offenders should be gevin them; but to this houre wee haue not found one. My Lord Chauncellar and all the noblemen watched all that night, and, seeing no appearance of convening of the people of Leith, wee gaue direction to a servant of the clark of the counsell to goe with the baillie of Leith, to take the rolle of the names of such as came with armes to the baillie

to ferve, that wee might therby know the abfents; and when the proveft of Edinburgh came verie late, fo evill accompanied, as no true hart could fie without grief, wee gave the like command to inrolle thefe who accompanied him: this night paffing without more fucceffe or harme, the ordinance being flowlie broght from the caftle for want of workemen, to haue beene furnifhed be the towne, wee fent of new two feuerall times to the Hollanders, craving affurance of their forbearance of furdur invafion. In the forenoone, the one pretended irrefolution till he confulted with his admirall; and after wee had caufed caft trenches for the ordinance, and had it ready to ding vpon one of the Hollanders lying in the drye fands, they draue tyme by delay of aunfwer, and lingring oure meffingers, till they had water to reteare from the danger of our ordinance, and then returned oure meffingers, without affurance of their obedience, intending, as wes thoght, to have brunt the Dunkirkar in the night. In the meanetime, the proveft and baillies of Edinburghe returned, evill accompanied, to Leith; and being preaffed to ferve and guard your maiefties cannon, pretending their priuiledge not to ferve, except within the bounds of their owne iurifdiction, and that the cannon wes planted owtwith their bounds, nothing could be obtained but a promife to furnifhe thriefcoir mulketars to garde the cannon, and to releive their garde the nixt day, with the like nomber, vnder proteftation that it fhould inferr no preiudice by this exemple. The counfell, relying vpon that promife, and being wearied with their toyle of the preceeding two dayes and night, after order giuen for faiftie of the ordonance of the Dunkirk fhipp, and bringing hir to the herbrie, went verie late to take fome reft; but the Chauncellaur being extrem carefull to fie all dangers prevented, arofe foone after midnight, warned the others of the counfell to affift him to fupplie fome appearing diforders, and walking till day, and feing all perils paff till the afternoone tyde, went to Edinburgh. I having ftayed at Leith, went to fie the eftate of the Dunkirk fhipp, and diligence of thefe to whome fhe wes trusted; and finding that they wer able to draw furth and caft on the fands all the ordonance before alleuin houres, follicit-ed them to take paynes to repare the fhipp, that fhoe might be broght within the harbrie in the afternoone, promifeing them recompense of their travells to their owne contentment; and therafter going to fee the eftate of your

maiesties cannon lying beside Sant Nicolas, fand ne liveing man attending them, but two of the ordiners of the castle of Edinburgh, the rest of their number being gone to take their necessarie ease after much travells; and so perceiving that (none of Edinburgh attending as they had vnderaken) two men might have clowed them, I presentlie caused some who wer with me to take muskets and pikes, whiche I had caused bring from my house, and placed them to garde the ordonnance, whiche had beene committed to the keeping of the towne of Edinburgh, till my Lord Chauncellars returne, who, vpon my advertisement, returning speedelie, after some other necessarie directions, commanded all diligence to be vsed for bringing in the shipp, whiche the preceeding day he had caused seafe as your maiesties prise, and set your maiesties coulours vpon hir, and finding necessitie of much help of well affected gentlemen, inrespect of the visibill slacknes of others, to whom it more properlie belonged, he sett all dignitie aside, and being most hartelie assisted by the noblemen and counsellours before named, he not onlie commanded, but, for exemple, played the pioner to tow in the shipp within the harbrie, whiche no travells then vsed being able to accomlishe, your maiestie will vnderstand the finall event by the counsellors letter. I know your maiestie will effend and admire the barbaritie of some of our people, and disobedience of others, but I beseeche your maiestie to beleue that the magistrats of Edinburgh haue taikin extrem paynes, and vsed the vttermoost of their diligence and authoritie, without successe; for the trade of our marchants and mariners with Holland is so profitable to them, and necessarie to the cuntrie, that these respects, ioyned with the opinion of conformitie of religion, and the dislike of the others for disconformitie in that poynte, hath so vniuersallie possessed our cuntriemen, with fauour to the one and hatred to the other, as nather counsellors nor magistrats command or entreatie could procure any service; and yf your maiestie should preasse vs with curious recherche and condigne punisheing the disobedients, I protest to God, I see no probabilitie how wee could performe it; for where the number and power of the perversilie disposed doeth infinitlie surpasse the endeavours of the faithfull and obedient, command turnes to encrease of contempt, and essay to punishe, may turne to violent resistance; and yf my weake opinion may be propounded without your

maiesties displeafour, I wold wifhe that meanes were found for monyes to be a ftoke or *ærarium belli* referued to the lewie of men, and furniture of prouifions, to execute all things concerning your maiesties authoritie and obedience, becaus, by this prooffe, wee haue not to expect that proclamations will doe it, in any matter not gracious to the people; neither wold I wifhe that this fubiect should be taiken hold of, fince the contempt of Edinburgh hath beene fo vniverfall, that when the magiftrats of Edinburgh (their charges by their officers being difobeyed) wer forced to enter in mens houfes, and raife them from their tables, they could not draw them to fervice, but rather that your maiestie, feeming fatiffied with the fervice done by honeft men, should be provided of meanes to wage fouldiers to punifhe the firft manifest contempt of bad exemple that should hereafter fall furth, and fo renewing *formidinem pænæ* in the harts of the evill affected, they might be reduced, and the faithfull confirmed to concurre to your obedience. Paffion hath ouercome me in fome circumftances of this buffines, and moued me to doe and fay more, both of our owne people and the Hollanders, nor a calmer time and exercife wold haue required; but fince all proceeded of fervour to fie your maiesties fervice advanced, or coldnes rebooked or amended, I will expect your maiesties wonted gracious conftitution and pardon, and fhall euer befeeche God to graunt your maiestie many yeares, with all accomplished contentment, and never fuffer me to liue ane houre after I want a true defire to liue and die

Your Maiesties moft oblifhed, humble, and euer
faithfull fubiect and feruant,

MELROS.

I humblie craue pardon for vfeing anothers hand to this letter, for I take God to record, that my grief to fie ftrangers attempts tend to wound your maiesties honour, and the difobedience of an ingrat and vngracious multitude of your maiesties fubiects, with the confideration of your moft deare fones being in Spaine at this occafion, making me to con-

cur with your maiesties counsellors in towne, by toile of bodie by day, and watching by night, since Sonday morning, in hope to help things, albeit without succeſſe (ſince now the Hollanders haue brunt the Dunkerk ſhip, in maner particularlie expreſſed in the counſels letter,) my eyes are fo blinded that I could not write, nor had laiſer to do it, being forced this forenoone to preſcriue to the clerk of counſell the mater of the firſt part of there letter, and to dite verbatim to him the laſt half therof. I ſubmiſſie entreat, that your maieſtie may be pleaſed graciouſlie to accept my faithfull intention, and vttermoſt endeours to excuſe the defectſ of the performance of that I owe. And albeit I haue no obligation to the towne of Edinburgh, the multitude taking themſelues in there railings to me as having vſed violence aganis ſome of the diſobedient people, and threatned there magiſtrats with words of contempt; yet remembering how incident errors are to multitudes, when they concerne the intereſt of there gaine or loſſe in their privat, and that they can hardlie be well reduced by rigour, when the nomber paſſis nomber, I will of new beg permiſſion to entreate your maieſtie not to take any hard courſe with them at this time, or expreſſe any determination againſt them, but rather to keep your reſolution in ſuſpenſe, and, declaring generallie your diſpleaſure for there vnthankfulnes, your maieſtie may be pleaſed to reclame them by clemencie, mixed with autoritie, at convenient times, with that temper which your maieſtie hes in all bypaſt times moſt mildlie and wifelic vſed towards your ſubieſts, with Gods viſible bleſſings, wherof I beſeech him to grant your maieſtie perſite and endleſſe continuance, and to me the grace to merite be accounted

Your Maieſties moſt faithfull and obedient
ſubieſt and ſeruant,

MELROS.

Edinburgh, 7 May [1623?]

To the Kings moſt ſacred Maieſtie.

CCCL.—MR PATRICK HAMILTON TO THE VISCOUNT OF ANNAND.

MY LORD,

THE counsell of Edinburgh having vnderstood by their clark, Mr Johne Hay, how infinitlie they are bound to the constant continuance of your noble favours towards them, and that they owe the acknowledgement of his good successe in their affaires, onlie to your lordships noble furtherance, they are, by their owne lettre, herewith sent to your lordship, humbly to thank and protest their earnest desire and resolution, according to the infinitnes of their obligation, to honour and serve your lordship; and because they presume that your lordships regard to me, as your servant, may possibly move your lordship to looke with the more favourable eye vpon their affaires for my interest therein, they therefore sent for me, and thinking their lettre would not be the vnwelcomer, yf I should accompany it with one of my owne, their instant intreatie hath imposed vpon me a necessitie of this presumption, to begg of your lordship that I may hereby beare a part with them in humbly thanking your lordship, for your lordships so constant and favourable furtherance of their affaires, whiche I hope your lordship will pardon in me, who shall wishe no longer breath then I shall be ready to bestow it for your lordships service; and so, humbly kissing your lordships hands, I rest

Your Lordships most humble and
obliged servant,

MR. P. HAMILTON.

Edinburgh, the 15th May 1623.

To the right noble and my speciall good
Lord, the Vicount Annand.

CCCHII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

BESYDIS the infinite prooffis and experienceis, whilkis this estaite hes ever had of youre maiesties most constant and vnchangeable affection, fo lyvelie and powerfullie manifested towardis thame in all occasionis fra tyme to tyme presentit to youre maiesties royall confideratioun, the lait reporte maid vnto ws be the Laird of Balwarde and Maister Johne Hay, commissiонерis in that treatie anent the woll, and quhilk wes secondit by youre maiesties most comfortable lettre, and prudent directioun, fend vnto ws, anent the manufacture of the native commodities of this kingdome, hes, to oure exceiding grite comfort, not onlie walknit and steirit vp oure affectionis to a most submisserie and reuerent acknowledgement of youre maiesties more then fatherlie care and endles affection towardis ws, whair of we find a daylie grouthe and progres, bot with that, it bindis ws in conscience befor God, and in oure dewtie and alledgeance to youre maiestie, not to conceale, bot to publishe the fame to all youre maiesties subiectis, that we and thay, vpoun the confideratioun of so many grite blessinges flowing vpoun ws frome youre maiesties most comfortable and blissed gouernament, may concurre with oure prayeris vnto God for youre maiesties long and happie reign.

And tuitcheing that point of the manufacture, we haif appointed a meeting of some noblemen, baronis, and burgesis, frome all the pairtis of the kingdome, to be heir in this burgh vpoun the nynt of Julij nixtto-come, whair the buffynes falbe fett a foote and prosequuted, by the best meanes that may bring the fame to a goode perfectioun, to youre maiesties honnour and contentment, and weele of youre subiectis. And fo,

continewing oure vncessant prayeris vnto God for healthe, and a long and
happie lyffe to youre maiestie, wee rest

Your Maiesties most humble and obedient
subiectis and feruitouris,

GEORGE HAY.
MORTON.
A. MAR.
NITHISDAILL.
MELROS.

At Edinburgh, the fext of Junij 1623.

We haif thoght meete to acquent youre maiestie, that the names of
the tua Holland capitanes ar

Vallentyne Deaffau, capitane of the ship callit Sir Lucas.
Adam Pieterfvander.

To the King his most sacred and
excellent Maiestie.

CCCIV.—THE OFFICERS OF STATE TO KING JAMES VI.

MOST SACRED SOUERANE,

WE haue diuers times met and feriouſlie conſulted, vpon the heades
of your maieſties letter of the 24 of May, concerning the proceedings of
the towne of Edinburgh, and ſome vndutifull ſubieſts, during the hoſtilitie
betuix the Hollanders and Dunkerkes at Leith, and for obedience of

your royall commandment, do humblie offer to your gracious censure the anfuers following:—

First, we think the spoiling the Dunkerkers of there goods, after there coming to land, to be violent reif, meriting capitall punishment.

The spoiling of the ship by our people, after sho wes abandoned both by the Dunkerkers and Hollanders, to be ane high offence, triable, and feuerelie punishable, by your maiesties secreet counsell.

And that those who beakned to the Hollanders to come and fease vpon the ship left by the Dunkerkers, ar guiltie of fauour and assistance giuen to the Hollanders, who, before that time, by there disobeying the charges giuen to them to keep your maiesties peace, and forbear all hostilitie, by sea or land, in this your maiesties kingdome, wer become your maiesties rebels, and contemnners of your autoritie royall; and that the said fauour wes giuen agains your maiesties confederates, being vnder your maiesties peace and royall protection; which offense being without any knowne exemple, we can not assuredlie resolue, whether it be more proper to be persewed criminallie before the justice, or as an extraordinary and haynous offense, arbitrar to the counsell. Neither can we sie how the towne of Edinburgh, can be compelled to try the committers of the aforefaids crimes and offenses, as that of the seventent day of December, because that tumult wes stirred vp in there pulpet and churches, and executed vpon there calfay by many of there owne burgesis, in the presence and sight of the magistrates. But all the disorders done vpon Sondag at Leith, were before the charge giuen to Edinburgh to come thether, so as none of them being at that time in Leith, but one of the water bailies, he wes so busied in doing the counsels manifold directions, wherin he performed his vttermoſt diligence: it seemeth more proper to impose that triall vpon those, who haue that charge from the Dunkerkers, or vpon your maiesties officers, nor vpon Edinburgh, none of there people being knowne to haue been actors particularlie, but a multitude of baffe fellowes, alswell of the adiacent cuntrie as of Edinburgh and Leith.

The protestation made by the magistrats wes founded vpon there pretended liberties, granted by there infestments, whervpon no instruments being taken, and it being past fra in effect, by there offer of obe-

dience at that time and occasion, by there vndertaking to garde your maiesties canon, as they were commanded; we think there not performing therof to be a direct and wilfull disobedience of your maiesties proclamation, punishable by the iustice, according to the course vsuallie obserued in cases of that nature. And albeit the payne denounced by proclamations, be tinsell of life, lands, and goods, yet we remember not that it hes been vsuallie inflicted, but rather that the parties either becoming in will, or being convict by affise, haue been warded and fyned at the princes pleasour. In this occasion, it is also to be considered, that the suddantie of the accident, and multitude of confused occurrences, permitted not time to direct the proclamation in solemne forme, and to publish it by herauld and trompet, but onlie by a summare warrand, vnfignetted, and published by found of drum. Yet it is vndeniable, that it came sufficientlie to the peoples knowledge; and that not onlie the magistrats came in armes to Leith with some of there neighbours, vpon Sounday, at night, and receiued there directions for your maiesties seruice, by the Lord Chancelar, assisted by the other counsellours then present, and were commanded to returne the next day for the like effect; but also vpon Mononday, wer of new commanded to garde the cannon, which they vndertooke, and did not performe, which makes the magistrats offense vndeniable and inexcusable, vnles they giue vp the names of thrie score of there burgeffis, whom they charged with that seruice. So either the magistrats for neglecting to direct and command, or there burgeffis for disobedience in performing there charge, must be subiect to your maiesties iustice, or to your royall censure.

These, our weake opinions, we humblie offer to your maiesties most excellent iudgement, most earnestlie wishing, that your maiestie may be gracioufflie pleased, by letter, to inquire the minds of all your counsellors before ye direct any persute to be moued against the offenders, because your maiesties precise commandement of secrecie would not permit ws to confer with any man, vpon such difficulties as seemed to ws verie materiall, in respect of the noueltie of diuers circumstances, the like wherof haue not, to our knowledge, before occurred, or been decided before the counsell or iustice, whervpon, if any thing shold be otherwayes determined

by the skill and number of the rest of the counsell, your maiestie might be displeased, matters not succeeding according to your commandment, and we blamed for the rashnes and error of our opinions, which we fall faithfullie studie to decline, and readelie endeavour our selues reallie to aduance all your royall intentions and commandments, according to our most oblished dutie; and fall incessantlie beseech God long to blesse your maiestie with most accomplished happines and contentment.*

Your Maiesties most faithfull and humblie obedient
subiects and seruants,

GEORGE HAY.
A. MAR.
MELROS.
W. OLIPHANT.

Edinburgh, 13 June [1623.]

To the Kings most sacred Maiestie.

CCCV.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERY HONORABLE GOOD LORD,

My packet of the 28 of July [June?] carried your patent. Yesternight, I receiued yours of the 24. This day I could not meet with Sir James

* Holograph of Lord Melros.

Bailie. I haue caused James Hamilton seek him. If he be found, I shall direct him to try John Auchmouties resolution anent the submission, and if he consent to the forme prescribed by yow, we shall cause draw it vp, and send it to be subscribed, and if he refuse, your lordship shall be aduertised. Albeit he allow the submission, no meeting can be before the 28 of this moneth, because the Vicount Lauderdale* is to go to Stratherne to morrow, with the Countesse of Roxburgh, to see the Earle of Perth, of intention to stay there the most part of this moneth. I shall also desire Sir James Bailie to deale with Robert Lauder, as your lordship does allow.

The Earle of Winton has willed me to desire your lordship, if that decreit arbitrall, which I passed betwix your lordship and him, for the bailerie of Cunighame, be in your lordships hands, that it may be sent to be registrat, whereanent he says, he will write to your lordships self.

I have desired James Hamilton to cause Robert Creichton speake with me, when he comes to this towne, that I may let him know your lordships care of his good, and my readines to him.

I thank your lordship for shewing to the Earle of Niddisdaill, the truth of my dealing. Many times I told him, that beside the respect I did beare to his owne place and worth, that I was infinitlie bound to the Marquis of Buckingham many great and vnderferued fauours, and finding my self vnable to requit them by any seruice to him self, God having so blessed him, as he neither needed the prouffes of my seruice, nor did I see any way to testify my thankfull minde to him self. I would strive to embrace all occasions to make it knowne by my dutie to his lordships freinds in this countrie, and chiefly to the Earle of Niddisdaill, who had the honour to be nearer to him by alliance. These duties haue obliged me, and I have bene, and shall be, readie to performe them so far as an honest man can do in my place. My remembrance of the freindship which was betwix the Laird of Johnston and me, binding me to keep dutie to his sone, will moue some of my lords freinds to think and please to persuade

* Viscount Lauderdale was created an Earl 14th March 1624.

him that I can not be dutifull to him, but knowing that his lordship is honorable and wise, I assure my self that he will think that I may discharge honest dutie to both, and will pray your lordship to vse your best credit to remoue all eylists, and increase the occasions of freindship amongs them.

I am glade of the freindship confirmed betuix the Marquis of Hamilton and your lordship, which I fall euer wish to continow, and fall neglect no occasion to cherish it to my vttermoſt, as a mater which imports both your goods, and the contentment of

Your Lordships faithfull freind to do
yow seruice,

MELROS.

Edinburgh, first of July [1623?]

To my verie honorable good Lord, my
Lord Vicount Annand, at Court.

CCCVI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS youre maieſtie wes pleaſed, in the ſax hundreth and nynetene yeir of God, oute of youre princelie and tender regaird and

compassioun of the miseryis of the poore, who wer far preiudgeit and hinderit of their almous, and of the cheritie of the people, through the default and scairstie of small moneyis within this kingdome, to grant your warrand for the coynage of fyve hundreth stane weyght of copper, in penny and tua penny peeceis, to the intent that the necessityis of the poore, whilk wes your maiesteis cheif purpois, being in some meafour releued, the intercourse of small commodityis in pennyworthis amongs your maiesteis subiectis, might, in lyke maner, be the better interteyned, wherin your maiesteis warrand and directioun had a goode succes for some certane yeiris, to the grite confort and releiff of the poore, till now of laite, that pairtly through occasioun of this extreame derthe and penurie of victuall, quhairwith the whole land is so vniuerfallie visite, bot cheifly by the daylie growthe and increfce of the number of beggaris, who, as we may trewly afferme vnto your maiestie, ar now become sax for one, it hes fallin oute, that of this whole quantitie of copper formarly coyned, thair is litle to be found now current amangs youre subiectis, quhairthrow, thair cheritie and beneuolence towards the poore, hes bene verie far interrupted and hinderit, albeit thair number be now gritair, and thair miseryis more lamentable and pitifull, nor ever wes seene or hard of in this cuntrey. The consideratioun quhairof, conioyned with the necessity of small money, whilk wes never so vrgent as at this tyme, hes moued ws most humely to requeist youre maiestie, that your maiestie wald be pleased, by youre lettre, to be returnit vnto ws, to gif your royall consent and allowance for the coynage of other fyve hundreth stane of copper in the spaceis foirfaid, or lesse or more, as the necessity of the cuntrey shall require, and that we may haif your maiesteis allowance to agree, with Maister Cunyeour for the coynage, vpoun suche conditionis as the worke may conueniently beare, quhairthrou, the miseryis of the poore, may be in some meafour releued, and that your maiesteis subiectis, who ar verie weill affectit and disposit towards thair supparte, may haif the occasioun, fra tyme to tyme, to extend thair cheritie towards thame. And so, praying the Almightie God to wathe ouer your sacred persone, and to continew

and multiplie his bliffingis vpoun your maiestie with mony happie yeiris,
we rest

Youre Maiesteis most humble and obedient
subiectis and feruitouris,

GEORGE HAY.
MELROS.
LAUDERDAILL.
R. COKBURNE.
W. OLIPHANT.

J. WEMIS.
GEO. ARESKYN.
MELUILL.
J. ERSKYNE.
KILSAYTH.

Haliruidhous, the third of July 1623.

To the King his most sacred and
excellent Maieftie.

CCCVII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

YOUR doghters securities of her jointure ar exped, but your lordships owne of your excambium, proceed more slowlie, becaufe Maister Thomas Hope hes not yet gotten from the Earle of Niddifdail, all the euidents that are requisit for his information.

A poore old fellow, called Thomas Young, seruant to the Ladie Bas, wes before the counfel vpon the first of this moneth, for cutting the Lairdis wode of Presmenane. He alledged that he had the laird and ladies warrand, but shew none to the counfell; but I saw particularlie the ladies warrand, subsciued be her, which I thocht not lafull for making so great wast of that, which belonged to her sone, yet there wes great

opposition made be great men, alledgeing, that since George Hepburne, in whose name the charges were vsed, shew no warrand from the laird, he could haue no place to persue the cutters of the wode. So, as I was forced to propone the caire the counsell shoud haue, to prevent distruction of policie, speciallie of wode, which is so scarce in this cuntrie, that the season of the yeer was so vnfit, that what is cutted after this time will not grow agane; and, which was most to be respected, that his maiestie, before his coming to this cuntrie, had, by letter, recommended to the counsel to desire the Laird of Bas to keep and hayne the wode, and the roes that were in it, for his maiesties recreation, wherof we were oblised to wish the like happie occasion; but when it shoud fall furth, his maiestie would be displeased to know that this side of the cuntrie, from Beruik to Edinburgh, shoud want wode and meanes of his or his sones sport, wherby I obtaned, that the cut shoud be delayed till the last day of this moneth, and George Hepburn is directed to produce the lairds warrand for stay of the farder destruction of the wode. My opinion is, that your lordship moue his maiestie to cause signifie to the laird, his pleasure, anent the hayning of the wode and forbearing to cut it, and that he write to the counsell to stay it, till the lairds returne, or whill he send his expresse warrand, in writ, to his seruants. I am perswaded this course will greatlie offend the ladie, because I moued George Hepburne to make this stay. Scho will pretend that it wes resolved to be sold for paying ten thousand merkis to the Laird of Congilton, but the shift is vnthrifitie, and will neuer work her end. What is concluded heiranent, must be signified before the end of this moneth, or els the disorder will go on, and will not be gotten longer stayed by

Your Lordships faithfull friend to serue yow,

MELROS.

Edinburgh, 4 July 1623.

Your lordships two letters of the 27 June came when I wes to clofe the packet. Maister Thomas Hope assures me that perfite order is taken for your lordship and Sir R. Gordons securities with Williame Douglas. I think your lordships resolution, anent the tryall of a fervant in Robert Philips place, verie good and wise, that none be trusted, but he that fall be knowne to be sufficient and faithfull. The Vicount Air parted fiftene dayes ago to England. I fall do in the mater of the greeuances, as his maiestie hes commanded, and as your lordship hes wiselie aduised me; and in evrie thing fall assist to my power, that which fall be thought fit by those whom his maiestie trusted with the busines, and fall aduertise your lordship of the progres therof.

If your lordship think that the sight of my other letter would not offend my lord marquis, or preiudge your lordships trust, I fould be glade he know thereby my dutifull respect to his honour and contentment, which I remit to your lordships wisdom.

To my verie honorable good Lord,
my Lord Vicount of Annand,
at Court.

CCCVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS the tyme of the changeing of the schireffis, of whome youre maiestie hes the nominatioun, now approtcheis, we haif thairfoir fend vp heirwith, vnto youre maiestie, ane roll of the justiceis of peace within these schirefdomis, to the intent youre maiestie may poynte oute suche, whome your maiestie wilbe pleasit to prefer to beare office for the

yeir to come. Thay who ar presentlie in office ar markit with the lettre P. And so, continewing oure prayers vnto God for youre maiesties lang and happie reignn, we rest

Youre Maiesties most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
MELROS.
A. MAR.

Haliruidhous, the aught day of July 1623.

To the King his most sacred and
excellent Maieftie.

CCCIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WHEREAS, at the first nominatioun maid of ws, be youre maiefteis darrest sone, the Prince, with youre maiefteis aduise, to haif the charge of the administratioun and gouernament of his affairis, and leving in this kingdome, we all thocht that youre maiefteis awne seruand, James Primrois, wes the fittest man to be oure clark in that seruice, alsweele in regaird of his diligence and daylie attendance vpoun ws, for youre maiefteis affairis, as of his sufficiencie and honnestie, verie weele knowne to your maieftie, and to all youre subiectis who hes to do with him in his seruice. Bot it pleafed youre maiefteis darrest sone, at that tyme, to mak choife of vmquhile Maister James Scott for that seruice, not for ony

dislyke that he had to the other, bot oute of his affectioun to the said Maister James, with whome his heyne was better acquainted, nor with the other. And now the said Maister James being, at the pleafour of God, depairtit this lyffe, we continew in oure formair opinioun, that the said James is yitt the fittest man for the seruice, whilk, in effect, is one with that fame that he hes of youre maiestie; and we perswade oure selfis, that as he hes cairfullie and paynefullie serued youre maiestie, without the least imputatioun of reprotche, that so he will endeuoir, by the lyke sollicitude and cair, to approue him self to youre darrest sone. And thairfoir, we haif prefoomed now, in the absence of youre said darrest sone (vnto whome we pray the Almighty God to grant a happie returne), to recommend youre awne seruand to your maiestie, humelie requiesting youre maiestie, to latt ws haif youre maiesteis allowance and fauour, to ressaue him in this seruice, vntill it shall pleis God that we vnderstand the prince his awne will thairanent, vnto whome we haif writtin for this effect. The said James is fomutche the more earnest in this particulair, becaus all these who hes ony officeis of youre maiestie heir, ar ressaued in the same officeis vnder the prince, he onlie exceptit. And so, praying God lang to preferue youre maiestie in helth, and to grant vnto your maiestie mony happie yeiris, we rest

Youre Maiesteis most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
MELROS.
A. MAR.
ROXBURGHE.
AR. NAPER.

Haliruidhous, x July 1623.

To the King his most sacred and
excellent Maiestie.

CCCX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE reffaued youre maieſteis lettre, by the whilk youre maieſtie wes pleaſed to recommend vnto ws, the confideratioun of the feuerall offenſſis committit be youre maieſteis ſubieſtis, in that mater of the Dunkirk ſhip, brynt at Leethe, and thairwithall willing ws, by oure vniforme opinionis, to reſolue youre maieſtie thairanent, vpoun the reſett of this lettre. After that we hard the relatioun of youre maieſteis ſecretarie, concerning the particularis of this buſſynes, and finding the fame, in conſequence and example, to be of grite importance and deliberatioun, we had tua meetingis for that purpois, and verie narroulie examined all the particularis recommendit be youre maieſtie vnto ws, and haueing aduiſed and diſcuſt all the obieſtionis and doubtis that wer proponned thairanent, and, firſt, towcheing that point anent the violent and ſhamefull robbing of the companie of the ſaid ſhip, after thay had left hir and come to land, we find, that quhairas occult and preuie ſtouthis ar pvnifheit be deathe, that this violent and maieſterfull ſtouthie, committit in day light, in the prefence of twa thouſand perſonis, is a cryme of heighair degree, and will fall vnder the compas of ſtouthie reaffe, and ſo is pvnifheable accordinglie. And towcheing the ſecund point, anent the ſpyll of the ſchip after that the Hollandaris had boordit hir, and ereſtit the Prince of Orange his cullouris, and then left hir, we find that point to be of the natur of ane ciuile actioun, and that it may be perſewit outhir ciuile befor the ordinair iudge, or befor youre maieſteis counfell, as ane oppin violence and oppreſſioun. And towcheing the thrid point, anent theſe who baikynned, and gaif wairning and ſignis from the ſhoir, to the Hollandaris to come and boorde the Dunkirk ſhip, we find, that ſeeing the Hollandaris had diſſobeyit twa chargeis gevin vnto thame, in youre ma-

ieſteis name, be a herauld and trumpett, to obſerue youre maieſteis peace, and to foirbeare the perſuite of the Dunkirkair, who wes lyand on dry ground at the mouthe of youre maieſteis harborie, and ſo, by thair diſfobedyence, profeſt thame ſelffis to be rebellis to youre maieſtie, and contemptnaris of youre royall commandment; that thairfoir all theſe who affordit vnto thame the meanes and occaſioun to perſew the Dunkirkairis, who wer youre maieſteis freindis, lyand heir vnder youre maieſteis protectioun, hes incurrit the pane and cryme dew to aſſiſtaris of youre maieſteis rebellis; bot becaus the criminall tryale of this point wilbe hard and difficle, as depending vpoun a naiked ſigſne, and the concepcioun of ane intentioun in the makeris of the ſigſne, we find it more expedyent, for the better diſcouerie of the trewthe, that the mater falbe tryed befoir youre maieſteis counſell, quhair it may be cleirit be oathe of pairtie or be witneſſis, nor by ane aſſife. And towcheing that point quhair the magiſtratis of Edinburgh, being commandit to gaird the cannoun, proteſtit that thay could not be haldin to ſerue outwith thair liberteis, we find, that ſeeing the proteſtatioun paſt onlie an diſcourſ, and wes not ſtand too, bot obedyence promeiſt, that thairfoir no cenſure nor pvnifhement can follow thairupoun. And towcheing the laſt point, whilk hes twa memberis; the firſt, yf the magiſtratis of Edinburgh, conforme to the directioun and command geuin vnto thame, appointit a number of thair toun to gaird the cannoun; and yf theſe who wer appointit, obeyit, we find, that howeuir the pane of proclamatiounis for ryſeing in youre maieſteis ſeruice be ſtrait, that neuirtheles, it can not be fundin, be ony record or memorie of man; that the rigour of the law hes bene inflicted in this point, bot the pvnifhement hes euer bene turned in compoſitionis and fynes. And thairfoir, in oure opinioun, it is meeteſt that the tryall of this mater, falbe remittit to youre maieſteis counſell, who wilbe cairfull to tak the moſt exact tryall thairin thay can, and, accordinglie, will aduerteis youre maieſtie with the progres of thair procedingis, to the intent youre maieſtie may gif youre awne aduiſe anent the forme of pvnifhement. And towcheing theſe of the toun of Edinburgh, who diſfobeyit thair magiſtrattis, being commandit to attend the magiſtrates to Leethe, we find that thair offence being rather ane omiſſioun of thair dewtie, nor ane con-

tempt, fould be remittit to the magistrattis thame felffis. This being the effect of oure waik and simple opinionis in thir particularis, we humblie present the same to youre maiesteis confideratioun, submitting oure felffis thairin, as in all otheris thingis, to youre maiesteis more rair and excellent iudgement, and quhat youre maiestie falbe pleasit forder to command herein falbe accordinglie obeyit. And so, praying the Almightye to blisse youre maiestie with mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedient
subiectis and feruitouris,

GEORGE HAY.
NITHISDAILL.
CARNEGIE.
W. OLIPHANT.
GLENCAIRNE.
BUCCLEUCHE.

AL. ELPHINSTON.
AR. NAPER.
MELROS.
HAMILTON.
LAUDERDAILL.

Haliruidhous, the first of August 1623.

To the King his most sacred and excellent
Maiestie.

CCCXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR was a petitioun gevin in to your maiesties counsell be the earle of Murray, steuart of Menteathe, and his deputis, proorting, that his faidis deputis haueing apprehendit vmquhill Duncane Moyll Campbell, a commoun and notorious theif, within the boundis of Menteathe,

in the verie fact of thift and foirning, and haueing putt him to the knowlege of ane affise thairfoir, he wes convict of the faid cryme, and fentence of deathe pronunceit agains him; and his executioun being for fome few dayis continewed, to the intent he might haif had the better occafioun to be reconfild with his God, feeing he wes ane roode, ignorant man, without ony knowledge of God; that in the meantyme, Robert M'Patrik, his brother, accompanied with a nomber of lawles and rebellious lymmaris and fornaris, come to Menteathe, and to the duelling houle of Patrik Steuart thair, feruitour to the faid earle, whome thay tooke oute of his houle, and caryed him with thame to the hillis of Glenurquhy, of purpois to haif kept him as a pledge for releif of the faid Duncane; and thay threatned him with the moft cruell deathe thay could deuife, yf the faid Duncane wer not fett free; and thay fend worde to the deputis, yf the faid Duncane wer execute, that thay fould fend the faid Patrik his heade vnto thame, which moved the fteuart deputis, vpoun trew apprehenfion of the gentleman his dangeir, to refolue vpon fome courfe for his relieff. In the profequitioun whereof, after thay had gottin notice quhair the gentleman wes kept be the lymmaris, thay maid thair addrefse thair, and fend a meffage vnto thame, firft intreating thame, and thairafter in your maiefties name commanding thame, to fett the gentleman free, whilk thay not onlie refufed to do, bot enterit in a furious perfuite of the fteuart deputis, and of the gentlemen that accompanied thame, and with hacquebutis, piftollis, and arrowis, perfewit thame of thair lyveis; in the whilk perfuite, it fell oute, be the prouidence of God, that the gentleman wes releued, and three of the lymmaris killed and on apprehendit, who is in handis, and referued to his pvnifhment; and of thefe that wer killed, twa being rebellis for thift and murthour, and the third (althoght a knowne commoun thief) not rebell, fome of his freindis, who, during his vnhappy lyfe, feamed to mifknowe him, hes now, after his deathe, maid fome buffynes, and intentit a criminall perfuite for his flaughter befor your maiefties iuftice; wherupon the gentlemen who wer challengeit haueing meaned thame felffis to the counfell, and, inrefpect of the circomeftanceis of this mater, haueing humelie defyrit that the criminall dyet might be defert, and that thay might haif ane approbatioun

of thair proceedingis in this mater, with ane exoneratioun of all cryme and dangeir that might be imputt to thame thairthrow, your maiesties counsell, althoght thay noway doubtit of the trewth of this informatioun, whilk wes alfua testifeit be a testimoniall in write, produceit befor thame, vnder the handis of a nomber of baronis and gentlemen of the cuntrey, thatt thay wald not prefoome to medle thairwith, bot hes referued the fame to youre maiesteis selff, frome whose meere grace and mercye this approbatioun and exoneratioun must immediatlie flow. Onlie this far, vpoun goode respectis, is done to the gentlemen, thair dyet is continewed to a new wairning of fyfteene dayis, to the intent, your maiestie, after consideratioun of the circomestanceis of this mater, quhilk procedit frome the vnlawghfull taking of a laughfull subiect, and keeping him as a pledge for releif of a condemnit theif, and frome the oppositioun and resistance maid be the lymmaris agains the steuart deputis, and gentlemen that adventurit thair lyveis for releif of the said Patrik Steuart, may extend suche proportioun of youre grace and mercye to the gentlemen, outhir be remissioun, respekt, or approbatioun of thair seruice, as your maiestie, in the excellencie of your wisdome, shall thinke goode. And so, praying the Almighty God to multiplie his blissingis vpoun your maiestie, with the continewance of mony lang and happie yeiris, we rest

Youre Maiesteis most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
NITHISDAILL.
AD. B. OF DUNBLANE.
A. MAR.

WINTOUN.
MELROS.
LAUDERDAILL.

Haliruidhous, the fyft of August 1623.

To the King his most sacred and
excellent Maiestie.

CCCXII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I HAUE staid vnwryting till I fould heare from the earle of Niddifdaill of the conclusion of the justice court vpon Setterday last, but thinking it liklie that he hes wretin by Carleill, I haue sent the roll to James Douglas, and desired him to request your lordship to let his maiestie know, by sight of it, what is done at that dyet. Sir William Seton came yesternight to this towne. I am forie to heare that maters went crosse betuix the earle of Niddifdaill and Sir William and the maister of Jedburgh, by occasion of there contrare opinions, in a repledgration foght by vertue of Drumlanriks regalitie, which my lord tooke in ill pairt, and promised to aduertise his maiestie. It is reported that the laird of Lag agried in opinion with the other two, but becaufe I know not the certantie, I remit it to the parties owne informations. As I fall learne any thing in your lordships owne affaires, I fall with diligence aduertise, and euer rest

Your Lordships affectionat freind to
ferue yow,

MELROS.

Edinburgh, 12 August [1623?]

To my verie honorable good Lord,
my Lord Vicount of Annand, at
Court.

CCCXIII.—SIR WILLIAM SETON TO KING JAMES VI.

MAIST SACRED AND GRACIOUS SOUERAINE,

PLEAS your sacred majestie, pardoun my boldnes and prefump-
tioun, by wreitt, to informe your majestie of ane accident fallin out at
our Court at Dunfreis, the 5 Auguft, whairin the Erle of Nithisdaille, be
tua letters of your majesteis, the ane direct to him felfe, to Erle Buc-
cleuche, and Vicount Annan, (noe mentioun maid of ws, the rest of the
Commiſſioners thairin;) the other, to ane aduocat, designed justice de-
pute in that behalffe, whose pretendit plaice in our judicatorie, did not a
lytle confound the fame, the justice generall his plaice, and his deputts,
haiffing noe compatibilitie with our commiſſioun in a judicatorie. This
bredd ane not sene heirtfoir (this tuentie yeares paſt, ſynce I had the
honour to be imployed in your majesteis ſeruice in the Middleſchyres)
confuſioun, more publique nor I could haiffe wiſched, and debaitte
nocht comelie in that plaice, the Maifter of Jedburgh, Laird of Lag,
and I, all ſtanding to the commoun courſe of law, ordour, and day-
lie practique; the Erle Nithisdaille and Justice Depute, preiffing to
chaynge the ordour, be the authoritie of your majesteis letter, whair-
vntoe wee war willing to acquiſce, proteſting onlie to be noe aētours,
whairin, wee had noe varrant contrair to law. Heirypon, queſtioun
and debaitte haiffing riſſin amongs ws, in all humilitie, I doe proſterne
my ſelfe to intreate your maiſt ſacred majestie, your majestie will be
pleaſed, incaice miſinformation of our procedours cuim to your majestie,
it will pleas yow referue ane eare to our tryall; hoping your ſacred ma-
jeſtie ſhall find neceſſitie of law, lacking all varrant in the contrair, in-
forced ws to doe that wee could nocht haiff bene comptable for, giff
otherwayes wee had done. Off the particulers yieur ſacred majestie will
reſſaue farder information be the lords of your majesties priuey counfall,
after the 20 instant, at whilk tyme wee ar to rander ane accompt to thair

lordshipps. The commoditie of the pacquet, pairting to your majestie, and my presnt returne from that seruice (haiffing allone the opportunity), hes emboldened me, for the maister of Jedburgh and laird of Lag, conjunct in that seruice, this far to informe your sacred majestie of the premisses. In all submissioun, obedience, and humilitie, taking my leive, wischeing from the Eternall all incres of felicitie to your maist sacred majestie, and all your royall progenie, refts

Your maist sacred Majesties maist submissiue, obedient,
and humble subject and seruitour,

W. SETOUN.

From Edenburgh, 12 August 1623.

To the King his most sacred Maiestie.

CCCXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE ressaued your maiesteis lettre of the xij of this instant, con-
tening your maiesteis opinioun of oure iudgement and censure of the fe-
uerall offenffis of these difordourlie people, in that mater of the Dunkirk
ship laitlie brynt at Leethe, togidder with youre maiesteis awne most iudi-
tious opinioun, and princelie directioun in that point concerning the ma-
gistrattis of the burgh of Edinburgh, for that vntymous and vnseafounable
protestatioun maid be thame agains thair seruice outwith the boundis of
thair awne liberteis. In the quhilk point, as we acknowlege your maief-
teis singulair wisdome and most prudent directioun, whiche falbe a pa-

terne and warrand to ws in all occurrentis of the lyke kynd heirafter, and wherunto in this particulair we shall conforme our selffis, so we haif found verie grite contentment, for your maiesteis gracious allowance of oure simple and waik iudgementis in the remanent particularis, concerning this buffynes, and we shalbe cairful, by exact tryale, examinatioun, and censuring of the same, to gif vnto youre maiestie the best satisfiactioun we can. Bot becaus the buffynes it self is of that importance, that it requiris the prefence and heareing of a frequent number of the nobilitie and counsell, and the present seasoun of the yeir is suche, that it threatnis a laite and bruckle haruest, swa that, be appeirance, this mater can not be weele and formalie handlit, nather will the counsell conveene so frequentlie as is requisite during this tyme of haruest, it is thairfoir thought meete by the voices of all these of the counsell that wer present, that this mater shall rest till the begynning of the nixt sessioun, at whiche tyme suche exact ordour salbe tane thairwith, as the importance of the buffynes requiris. And so, humelie craving your maiesties pardoun for this shorte delay of tyme, wherin we had no other respect bot the formall and ordourlie proceeding in this buffynes, we pray the Almightye God to blisse your maiestie with mony lang and happie yeiris, and we rest for ever

Youre Maiesties most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
MELROS.
W. OLIPHANT.
WIGTOUNE.

J. ERSKYNE.
AR. NAPER.
HAMILTON.

Haliruidhous, the 20 day of August 1623.

To the King his most sacred and
excellent Maiestie.

CCCXV.—EARL OF NITHSDAILL TO THE VISCOUNT OF ANNAND.

MY NOBLE LORD AND BROTHER,

I HAUE sent out those which I apprehendit for burning of the minister, as his majestie haith directed.

Befoer Conhaiths returne, I was chargit, at the instance of Drumlenrik, to produce his men befoer the counsell: I sent out his majesties letter, and wret to my Lord Chanfeller and the Presedent, intreating they wold profigd no farder, till his majesties anfuer sheuld cum, which I did deylie expect; bot the counsell did appoynt the men to be fet at libertie, finding casion to compeir befoir the generall Justice, wher they know repleging will be admitted.

I haue sent the letter anent that disput betwixt the commissiioners and me. Drumlenrik in that matter can pretend no ignorance, for a fourt-night befoir the court, in ane discours betuixt him and me, he said that he wald account him felse no moir obliffed to anie man wald bring his regalatie in question, then he intendit to cut his throt; wherto I anfuered, that I sheuld be lothe to be wpon knoledge of cutting his throt; bot my maisters direction wald mak me wfe noe ferimonie to refuse repledging; 'for,' said I, 'what reason can yow have now to tak exseptions moir then yowr father did, in the tyme of the Earle of Dumbar?' His anfuer was, thocht it was his fathers pleafor to doe so to the Earle of Dumbar, it was nocht his pleafor to doe so with me. When yowr lordship fall find fitteft tyme, be remembering that matter of Amiffelds and Clofbornes, yowr lordship fall oblis tuo honest gentilmen. I tak my liue,

Yowr Lordships brother to ferve yow,

NITHSDAILL.

Drumfreis, September the xxix, 1623.

To my Noble Lord and Brother,
the Viscount of Annand, at Court.

CCCXVI.—EARL OF NITHSDAILL TO THE VISCOUNT OF ANNAND.

MY NOBLE LORD AND BROTHER,

I MERVELL nocht a lytle of that motion which Conhath maid anent the casualaties of the Borders, for, as God is my witnes, I never intendit anie such thing; nether fall it ever be hard of, that I fall medle with such basf shifs, for my poore service, if it fall be virthe the thinking, the recompance fall cum from our maisteris his oun hands.

I perfaue it fall nocht be pofabill for me foe cairfullie to ouersie the particulers of your lordships cuntrie biffines heir, exsept yow appoynt sum man or other to vach over yowr offisers. I vald nocht haue yow to nominat anie pension for the sam, bot according as they fall deserue; for the moift pert of this cuntrie is leyk to be waift for falt of tennens, and I perfaue the offisers louks nocht cairfullie to that poynt.

I cummandit Mathow Wilfone to leid the teins of Castelmilk. I cummandit the hoill tennents to attend the leading therof, bot I heir ther is nothing done after he had undertene the sam; nather wald Mr David Rodger tak them, for that yow ar bond to pey. Yow haue been ivill wfit in all that blok, as yow will cleerlie fie.

Be all apperence, wnles yowr lordship tak sum spedie cours with the stewartrie of Annendaill, it will goe to confufion; for a greit manie lands lyeth waift, the tacsation wherof yow must pey, and then feik yowr relive. If yowr lordship will frie the commiffer of Drumfreis of that truble, I knoe no man moir fit for the place: fikleyk, all thofe casualatis belonging to that office is seasit wpon for the king. If yowr lordship will fend me doune yowr mynd, I will doe my best for your weall in all these particulers. I hear nocht of anie cair wfit for yowr credit, be those which yow haue appoynted for yowr gard; nather doe I heir whom yow haue plaffid, for tuo or thre war put out, or if yowr lordship will haue fyue moir, as my Lord Bukcleughe and I haue allowit. If your lordship haith mynd to prefer them yowr felfe, let me know: if yow will trust it to me, I fall do what

confers your honour therinto. I think strange that Sir George Elphinston should have maid anie motion of my upcuming, much moir of my wyfis. I haue fund the smart of waisturrie in that pert sufficientlie allredie; nather doe I ever intend my wyfe fall cum thair, vnles be the direction of my lord Duke of Bukinghame, I may be assured to be bettered be the woyage. For my oune wpcuming, if your lordship fall think it fit, efter you haue spokin my Lord Bukinghame, short aduertisment fall serue.

I am forie that George Hariot is put in such fear and distast with me, as I heer be Sir George he is, for his securitie may be good enough, if he wald be pleasit to furnis sum mun[ie]. I protest befor God ther fall be no means to hould of discredit, that I fie, since no munie may be had from thence, the miserie of this land is such. God send the prince and my lord duik weall home.

I haue hard nothing as yeat from Mr Thomas Hope, bot I haue wretin to him. As I hear, I fall acquent your lordship.

My Lord, houeuier men sheuld senfor you or me, in our maisters service, it must not mak us shrink; bot vnles the prince and the marques be home befor Martinmes, I feir the strong hand agenst reason mar our good intentions. I attend your direction in all things as

Your Lordships brother to serue you,

NITHISDAILL.

Drumfreis, September the xxix, 1623.

I haue caufit proclaim ane iustice court to the fixtein dey of the nixt moneth. The outcry of poor prifoners, and of the toune of Drumfreis with mantening of them, haith maid me haift the sam.

To my noble Lord and Brother, the
Vicount of Annand, at Court.

CCCXVII.—SIR THOMAS HOPE TO THE VISCOUNT OF ANNAND.

PLEIS YOUR LORDSHIP,

I RESSAUIT your lordships twa letteris yesterday, together with the band of dispositioun of Castlemilk, in fauouris off the earle of Nithifdaill, and I find that sam fault quhilk your lordship hes markit, anent the haill myln; for in the alienatioun off the thrid part to your lordship be Kirkhous, I find the thrid part myln infert. Now, heir wilbe the difficultie: If, in the rychtis made to your lordship be Mr Nathaniell Edwards, the haill myln be wntennit, the erle of Nithifdaill will alledge, that he must haif all from your lordship, quhilk your lordship hes from Maister Nathaniell. Bot in this I can not resolue, quhill I fie the rychtis made to your lordship be Maister Nathaniell, quhilk ar in the erle of Nithifdailles handis; and vpon the schow thair off, I fall travaill to remove that dout, for it is nawais reffonable that your lordship fould quyt that rycht, quhilk your lordship hes your nephew Kirkhous. And as to this band, quhilk is subferyvit be your lordship, it must be alterit, both in that off the myll, and vtheris heidis, quhilk I haif obseruit, and fall caus draw vp ane new dispositioun, and maik it with my hand; but this must rest till I meit with the erl of Nithifdaill, and bring his lordship, by reffoun, to aggrie to sic heidis as must be changit; and in the meane tyme, I fall wryt to the erl of Nithifdaill, and schaw his lordship, that I haif the band in my hand, and dois attend his lordships prefence, or sum of his fervandis, with the writtis made to your lordship from Maister Nathaniell Edward, for reforming thair off.

I haif this day, being the counsell day, causet mak resignatioun in your lordships fauores, both of the lands contenit in the contract of excambioun betuix your lordship and the erll of Nithifdaill, and als off the lands con-

tenit in the dispositioun made to your lordship be Kirkhous. And for the rest of your lordships effaires, I attend the anfuere of my letteris, writtin to Robert Macbrair and William Hayning; and so sone as I haif it from thaim, I fall put order to all your lordships buffines, both for the excamboun with the erl of Nithisdail, and als for Halywod; and to this effect I fall defyre my lord of Nithisdail to contriue with thaim for the mair quik dispatche off that matter off the tenandis and property of Drimsleit.

I wret laitlie to your lordship in fauouris of my brother, James Hope, in Diep, fra quhom the customeris hes takin sum fiftie merkis worth off gold threid, he being ane strangear, and his factres not knawing the stricknes off the lawis: And I humbly entreat your lordship to imploy your lordships fauor and credit for restoring to him off his guids, quherin I know Sir James Baillie wilbe maist readie, at your lordships command, to imploy his travailles and best help. So, my humble and bund seruice rememberit, I commit your lordship to the grace of God, and restis

Your Lordships humbly and faythfull
seruitour till death,

SIR THOMAS HOPE.

Edinburgh, 1 October 1623.

My Lord Chancellor is to be at court schortlie; and his lordships loue and respect to me is so abundant above my merit, that I trust he fall motioun my signatour to his majestie; and therfor, if my lord speik tuitching thairanent to your lordship, you wilbe pleasit to gif suche concurs as your lordship thinkis meit for the buffines.

To the ryght honorabill my verie
guid Lord, my Lord the Vicount
of Annand.

CCCXVIII.—EARL OF MELROS TO THE VISCOUNT OF ANNAND.

MY VERIE HONORABLE LORD,

I RECEIVED your lordships letters of the 18 and 21 of September. These who are suspect of the burning of the minister of Kirkpatrick's house, were sent to this towne yesternight, by the earle of Niddisdail, and are to be exactlie tried by me, and some others of the counsell, to whom the lords haue giuen commission to that effect.

The commissioners of the Bordours are ordaned to be summond to the next counsell day, to the effect, tryall and order may be taken with the busines, which fell furth the last court, according to his maiesties direction. In these, and all other his maiesties seruices, I fall studie to approue the continuance of the faithfull duetie I owe, and haue kept in time bypast, and fall prosecute, God willing, to my liues end.

I can learne no thing of any dealing in the laird of Baffis affaires, but that he hes wretin to some of his creditours, to superfeed their principall fowmes till Witsonday, promising to satisfie them, before that time, either with lands or moneyes, to their contentment.

I haue not heard from Robert Makbrair, but this day I saw a letter of the earle of Niddisdails to Alexander Maxuell, his agent, willing him to deale with Maister Thomas Hope, to perfite your contract of excambium, and other securities, according to your agreements. So, till farder occasion, I commit your lordship to God, and rest

Your Lordships affectionat freind to
serue yow,

MELROS.

Edinburgh, 2 October [1623?]

His maiesties letter to the magistrats of Edinburgh was deliuered in due time. I dowl not but themselues will giue accompt of their obedience.

I begin to find myself verie vnfit for trauell, and that cold doeth me much harme in winter, and therfore, must be so homelie as to pray your lordship, to informe Sir James Baillie, what furies will be fittest for my neck and bodie, that he may buy them for me, and at his returne I fall giue him what he fall disburse.

This morning Maister Thomas Hope hes told me that he is forced to delay the finishing the contract of excambium, whill he receiue answere from Robert Makbrair and William Hayning, to whom he wrote to meet with some of the earle of Niddisdails freinds, and try and report to him, in writ, the trew estate of the lands, superioritie, and propertie, and rent therof. He hes also wretin to the earle of Niddisdail to send the writs of Castlemilk, that he may perfite your lordships securities therof.

To my verie honorable good Lord,
my Lord Vicount of Annand, at
Court.

CCCXIX.—THE LORDS OF PRIVY COUNCIL TO THE LORD CHANCELLOR.

AFTER oure verie hairtlie commendationis to your goode lordship, your lordship rememberis, how, that in the moneth of August last, the kingis maiestie, haueing recommendit vnto ws the tryeing and pvnisheing of the insolence and misbehauour of his maiesties subiectis, in that mater of the Dunkirk ship, brynt at Leethe, according to the natur and qualitie of the feveral offensis, concurring in that earand, we, by oure answer, returnit vnto his maiestie, excusit oure selffis, anent oure not proceeding thairin at that tyme, in respect of the importance of the buisynes, whiche requirit the presence and heiring of a frequent number of the nobilitie and counsell; and that the seasoun of the yeir wes suche, that it threatned a laite

and bruckle haruest; and promise wes maid vnto his maiestie, that, at the beginning of this fessioun, that mater shuld be putt to a point. Bot now, we, haueing considderit that this persuite and tryale will stryke cheiflie agans the magistrats and bodie of the burgh of Edinburgh, and being doubtfull, yf his maiestie, will allow of the said burgh as a fitte and conuenient place for prosequitioun of that tryall, we ar thairfor verie desirous to be consultit, and resolued by his maiesteis cleir and excellent iudgement in this point; and for this effect, we will eirnistlie requeist your goode lordship, at some fitte oportunitie of his maiesteis laifer, to found his maiesteis opinioun thairanent, to the intent that accordinglie we may conforme oure selffis thairunto. Your lordship knowis that thair wilbe a verie grite difficultie in the discouerie of the principall actoris and offendaris in this bussynes, seeing we haif none to gif ws ony light nor informatioun thairin; and these who wer agentis, and thairby pretendit to haif interessie in the same, hes neuer troublit thame selffis thairwith, nor neuer dilaitit nor gaif vp to ws the name of ony one guiltie persone, and thay ar now at courte. Alwayes, thair falbe no thing wanting in ws, quhairby, according to oure bundin dewtie, we may gif vnto his maiestie satisfactioun heirin. And so, attending your lordships answer, with the remembrance of oure best and hairtiest affectionis, we committ youre lordship to the protectioun of the Almightye. Frome Edinburgh, the faxt day of Nouember 1623.

Your Lordships verie loving and assured goode freindis,

MELROS.
J. ERSKYNE.
KILSAYTH.
A. MAR.

ROXBURGHE.
LAUDERDAILL.
W. OLIPHANT.
AR. NAPER.

To the right honnorable, oure verie
goode Lord, Sir George Hay of
Kinfawnis, Lord Heigh Chancellor
of Scotland.

CCCXX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a presentatioun, signed be youre maiestie, and gevin in to be exped be ws, in fauouris of George Quhyteheade, by the whilk your maiestie wes pleised to present him as tennent and vassal to the Lord of Coldinghame, in the landis of the Northfeild of Coldinghame, with the teyndis thair of includit, whilkis fell in your maiesteis handis, by the foirfeytour of the laite Earle Bothuill, whereof some notice being gevin to the Earle of Hoome, and the Countesse, his moder, and thay pretending to haif speciall intereffe in the buffynes, thay maid earnist sute vnto ws that thay might be hard afoir the presentatioun wer exped, wherin thay being satisfieit, as a point whilk, in a mater of this kynd, could not with resoun be refused, and a dyet being appointit vnto thame, and to Frances Steuart, sone to the said laite earle, be whome this buffynes, for the pairt of the said George, wes sollicit; and the said dyet being accordinglie kept be thame and thair procuratouris, the one very instantlie vrged the benefeit of youre maiesteis presentatioun, and the other, with the lyke instance, vrged the stay of the same till your maiesteis awne pleasure wer knowne; and diuers reffonis wer proponned, *hinc inde*, in that mater, whilkis, with the importance of the buffynes, being at lenthe confidderit be ws, we fand it more expedient, for the weele of bothe pairtyis, that the presentation should stay some certane space, till youre maiestie, after consideration of thair reffonis, *hinc inde*, fould, oute of your awne cleir and found iudgement, direct ws how to proceed thairin, nor rashelie to gif way to the said presentatioun, whilk might breid proces and pley betuix the pairtyis, and trouble and fascherie vnto your maiestie. Whereupoun it wes desirrit, for the pairt of the Earle of Hoome, and the Countesse his moder, that thay might haif the fauour to send vp thair reffonis, in write, to your maiestie, for your better informatioun anent the trew estate of this mater; whilk being grantit vnto thame, and lyke-

wayes vnto the said Frances, and this present nynt of December being appointed vnto thame for geving in thair reffonis, in write, to haif bene fend vp heirwith, we ar informed, that, in this meantyme, the said Frances in perfone, and the Earle of Hooke, be a feruand, hes tane thair iornay, and ar vpoun thair addresse towards your maiestie, without geving in of thair reffonis to ws; and so, leaveing thame to thair awne informationis, these ar onlie to acquent your maiestie how far wes proceidit in this buffynes befor ws. And praying the Almighty God to watche ouer your sacred perfone, and to blisse your maiestie with mony lang and happie yeiris, we rest for euer

Youre Maiesteis most humble and obedient
subiectis and feruitouris,

MELROS.
W. OLIPHANT.
KILSAYTH.

LAUDERDAILL.
AR. NAPER.
A. HAMILTON.

Edinburgh, 9 December 1623.

To the King his most sacred and
excellent Maieftie.

CCCXXI.—AL[EXANDER] COLVILLE TO THE VISCOUNT OF ANNAND.

MY HONORABLE LORD,

ITT is not verie long since I vrett to your lordship, anent the election of a Justice Clerk, and now I perceawe that his majestie, by his happie choyce of Sir Archibald Naper (a worthie gentleman, and a conscientious), hath bene both informed and furthered to do so by your lordship; quherin your lordship hes performed a worthie vork, and ac-

ceptable to God, and a singular seruice to his majestie, and ane exceiding great plesur to your countraymen. And now, haweing proof of your lordships goodnes, and respect to further good errands, I am bold to trouble your lordship with a poor petition for my self, quhilk is this: your lordship shall be aduertised that I have serued this fax yeirs to his majestie as Justice Deputie, hawing onlie the fie of v^e lib. Scot, quhilk is both so litill and so badlie paid, that, in effect, it seemis nothing, 3a, scarcelie sufficient for my servant, so exorbitant as the pryces of all thingis in this part; and the Lord knois that, of vther casualities, I have not on penny, because all the casualities of the place belong directlie to his majesties thesaurer; so that my service and attendance is great, and my allowance so litill, that I can not do it, by any means, without my great preiudice. Therefore, I am to entreat your lordship, that, owt of your lordships accustomed goodnes, 3e vould spaik on fauourable vord to his majestie for me, and that he vould direct the Earle of Mar, theforer, and Sir Archibald Napier, his maiesties thesaurer deput, to consider of my particular, if ather my information be fals, or if the dignitie and burden of the place requyrs not sum further consideration, that I may be the better encouraged and enabled to serue his maiestie in all syncerite and humilitie: This fauer I expect of your lordship, and that it would pleis your lordship to oblish a scoller, that honores your lordship, so far as ony lord living, and shall mak it known, be sum speciall testimonie, how far I ame your lordships deuoted seruant. In this hoip of your lordships fauerable report to his maiestie of me, I will rest, still vising to your lordship all health and happines, as earnestlie as I shall euer rest

Your Lordships humble and affectionate seruant,

AL. COLUILL.

Edin. xi December 1623.

To the right honorable his special good
Lord, my Lord Vicount of Annand.

CCCXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUVERAINE,

WE receaved your maiesties lettre, of the third of December, by the whiche, your maiestie wes pleased to command vs, to try and informe our selffs, if your maiesties lands in Orkenay and Yetland may be raised to any considerable greater rent, *communibus annis*, then Sir John Bughannan payeth for the same, without heighting of the tennents to a greater dewtie, then they payed to the erles of Orkenay, or ar able to pay; and if thair be no appearance thair of, that then we fuld advyse, if it be expedient, to sett the saids lands in ffew for the said rent, and to returne our opinions thairanent vnto youre maiestie. Vpon the reffait of this lettre, we enterit to a consideration of the first pairt and article thair of, and hauing hard youre maiesties thesaurar deput (who hath bein verie cairfull to informe himselff of particulars for your maiesties forder benefit), and having learned vthervyse what we both, out of our owne knowlege, and by the information of suche indifferent gentlemen of the cuntrey, who have no entrefs in the busines, we find, that (howfoeuer in thir yearis, when in extreame scarcetie hath raised cornes to ane excessiue pryce and dearth), a provident takisman may receive a good superplus aboue your maiesties rent, if he can get full payment of the haille fermes, whilke hath naither bein done these last yeares, nor is it to be expected in any pairt of this kingdom, till it pleas to send better seasons and greattar plentie, by whiche cornes being brought againe to thair vsuall pryces, we think that rent the vtter availl whiche may be had for these lands, without heighting of the tennents, who ar well knowne to be, for the most pairt, verie poore people; and who culd neuer be able to pay the duties wherto the Erles of Orkney, respectiue aneuch of thair awin profite, have raised them, and which they now pay, if thair poore forme of living, speciallie in taking and feeding on fishes, did not enable them. And we hauing lykewyse conferrit the

present eftait of the tennents, and the oncertaintie of the rent, with the afflu-
 rance and conftancie of a fettled rent, that will aryfe from the ffewing of
 the lands, wee ar all of ane opinion, that it is moft expedient for youre
 maiefties hon[or, and] good of the cuntrey, and fetling of ane constant
 and onchangeable rent to your maieftie, that the lands be ffewit for the
 dutie that is now payit to your maieftie, for the fame whilkes particulars,
 remitting to youre maiefties wyfe and princelie confideration, etc.

CHANCELAR.
 MAR.
 MORTOUN.
 SANTANDROIS.
 ROXBURGHE.
 MELROS.

LAUDERDAILL.
 CARNEGIE.
 KILSAITHE.
 W. OLIPHANT.
 A. HAMILTOUN.
 AR. NAPER.

Edinburgh, 20 January 1624.

Copy—The Counfaills letter to
 hes Maieftie concerning the
 heighting of the lands and
 Earlldome of Orkney.—1624.

CCCXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

Vpoun the refett of your maiefteis lettre of the fourte of Feb-
 ruair laft, towcheing the Middlefhyris, we appointit a meeting of the
 commiffionaris to be heir at Edinburgh, vpoun the xxiiij of this instant,
 alfweele for ane accompt to haif bene gevin be thame, in fuche pointis
 exprest in your maiefties lettre, as concernit thair charge, as for thair

aduise and opinioun to be gevin to ws, in the remanent pointis of the said lettre recommendit vnto ws. Whiche dyet being accordinglee kepted be the Earle of Bugcleugh, the Lord Cranstoun, James Maxwell of Kirkconnell, Sir Andro Ker, Sir Williame Seytoun, and Sir Johnne Murray of Phillaphaugh, (the Lairds of Lag and Amiffeld, being vpoun some necessair occasionis excuist); and your maiesties misfiue being punctuallie red vnto thame, and euerie article thairof weeie confidderit and aduifit, and first that point anent idill livaris, who hes found caution for thair dewtifull behaiour, becaus, in the tryall of thair contrauentioun, findrie thingis may be interprete to be a contrauentioun, and to infer the penaltie of thair band, quhair of the nature and qualitie of the offence, will not, by rigour of iustice, deserve fuche a pvnishment; we haif thairfoir, with the commissiounaris awne consent, authorized thame, with warrand and authoritie, to conueene befor thame all fuche personis, within the boundis of thair office, as by thair transgressionis hes violat thair cautionaryis, and to tak particulair tryall and notice thairof, and of thair present estate, and quhat hes bene thair bipast lyffe and demeanour, sen the finding of thair caution, to the intent, that, after confideratioun of the nature of the transgres, and qualitie of the persone, we may modifie the fyne accordinglye. And towcheing these that hes not found caution; becaus it is lyke anewgh that some of thame (althoght thair bipast behaiour hes bene blameles) can not gett caution, we find it hard, that personis of this kynd falbe subiect to the rigour of the act of transplanting; and thairfoir we haif recommendit vnto the commissiounaris to informe thame selffis how many of thir personis ar alyve, quhair, and by quhat meanes thay live, and quhat hes bene thair behaiour sen thay fould haif found caution, and to mak reporte thairof vnto ws, that thairafter we may gif directioun anent thame accordinglee.

The fecound point of your maiesties lettre, towcheing the promiscuous libertie tane be all personis at thair pleafour, to repair to and fra Irland, quhairby malifictouris hes the meanes to eschew the hand and straik of iustice, hes bene verie aft debaitit at the counsell table, and diuers meetingis and conferenceis hes bene had vpoun that subiect, be personis selec'tit for the purpois, without ony certane conclusioun; and at

laft ane commiffioun wes gevin to twa men, who vndertooke, be thame felffis and thair deputie, to attend at all the fea portis towards Irland, and to be anfuerable that nane bot laughfull perfonis and goodis fould be transported; bot this commiffioun turned firft in ane abuse and grevance to the fubiectis, and thairafter wes altogidder desertit and left; and we haueing at lenthe conferrit with the commiffionaris heirupoun, we ar all of opinioun, that the fatling of ane constant ordour, in this mater, will depend vpoun a mutuall correſpondence to be kept with ws at the oppoſite coift in Irland, wherin, becaus the aduife of ſome of the vndertakaris for the Iriſhe plantatioun, and of the commiffionaris for the Middleſhyris, with ſome of the burrowis in the weſt cuntrey, is requiſite, we haif appointit a meeting to be heir at Edinburgh, in the moneth of July nixt, for that earand; and we haif writtin to the Vicount of Ardes, the Lord Clanebewye, to ſend heir ſome ſufficient gentlemen for thame to this dyet, inſtructit with thair beſt aduyſe and opinioun, concerning this buſſynes; and we haif lykewayes writtin to the reſt that ar in this cuntrey, and we hoip, that at this meeting, ſuche a goode courſe ſalbe reſolued vpoun, as ſhall procure youre maieſties contentment and goode of the cuntrey.

And towcheing the thrid point of your maieſties lettre, anent the repairing of fugitiues and ſuſpect perſonis, to your maieſties courte, for eſchewing of tryall, thair hes bene ſindrie proclamationis maid to that end; and we haif now, with the commiffionaris aduife, gevin warrand vnto thame to mak a cleir roll of all the fugitiue names within thair boundis, and to ſend the ſame to courte, to ſuche a perſone as your maieſtie ſhalbe pleaſit to mak choiſe of, who ſhall apprehend all ſuche perſonis contenit in the roll, as hes not a note vnder the hand of the commiffionaris clerk, that thay haif abiddin thair tryall, and bene acquate of all crymes, preceding the dait of the roll, wherin thair names ar contenit, and euerie ſuche perſone that ſalbe ſo apprehendit and ſend home, ſhalbe examplarie pvneift.

Whereas informatioun hes bene maid to your maieſtie, that commiffionis hes bene gevin to priuat men, within the Middleſhyris, for tryeing and pvniſheing of offendouris, to the preiudice and diſcredite of your

maiesties awne commiffionaris, your maiestie shalbe pleasit to knowe, that thair hes bene no commiffionis of that kynd grantit, bot one to the Earle of Roxburgh, aganis his awne remouable tennentis, and for the space of ane yeir allanarlie, whose place and worthie behauour, in all materis recommendit to his charge, and speciallie in this seruice, wherin he bearis a burdynē with ws, moued ws to entrustē him with that commiffioun, and whiche now, vpoun the knoulege of your maiesties pleasour, he hes renuncit and dischargit. Bot where baronis infest with priuilege of pitt and gallous, apprehendis a theif with a fang, and neglectis the tyme deu for his tryall, whilk is xxiiij houris, we, with consent of the commiffionaris, do think it more expedyent to gif commiffioun to fuche a baroun for doing of iustice vpoun a malefactour of that kynd, nor to referue him to the tryall of the commiffionaris courtis, becaus it often fallis oute, that thir beggarlie thevis hes not of thair owne to interteyne thame, and fwa thay must owther ly vpoun the baronis charge, or then sterve for hungar; and of this kynd thair hes onlie bene twa commiffionis past, one to the Lord Garleis, aganis a theif, apprehendit be him, with a fang; and ane other to the Laird of Johnnestoun, aganis a theif of this fame kynd. Anent granting of remiffionis to bordour men for hacquebutis and pistolettis, thair hes no fuche remiffionis bene grantit, nather fall ony be grantit in tyme comeing.

And towcheing the last point of youre maiesties lettre, anent the disarmeing of the Bordour men, we, and lykewayes the commiffionaris, ar of opinioun, faulffing your maiesties more excellent iudgement, wherunto we fall conforme our selffis, that it is not expedient that these who hes found cautioun, and levis vnder the obedience of law and iustice, falbe subiect to this article, becaus that wilbe a speciall meane to waikine the cuntrey, and to mak the inhabitantis vnfitt for seruice, vpoun ony interuening occasioun, as indeid thay ar presentlie reduceit to that estaite, that thay haif nowther houe nor armour; alwayes, we haif gevin ordour that all these who hes not found cautioun falbe disarmed, wherwith the commiffionaris ar contented.

This being our opinioun and answer to the particular headis of your maiesties lettre, we humelie present the same to your maiesties considera-

tioun ; and, prayeing the Almighty God to blisse your maiestie with
mony lang and happie yeires, we rest

Youre Maiesteis most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
BUCCLEUCHE.
A. MAR.
MELROS.
AR. NAPER.

PERTHE.
ROXBURGH.
LAUDERDAILL.
W. OLIPHANT.

Edinburgh, 23 Martij 1624.

To the King his most excellent and
sacred Maiestie.

CCCXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THIS inclosed lettre being fend vnto ws be Sir James Spens, knight, and we haueing red and confidderit the same, and finding the contentis and desire thair of, to dip vpoun pointis, wherin, some of youre maiesties confederatis may pretend thair priuat interesse, and we not being resolued how far the same may towche the goode correspondence standing betuix youre maiestie and thame, we haif forborne to med[le] thairwith, and hes heirwith fend vp the letter to youre maiestie, to the intent that youre maiestie, after aduised perufall and confideratioun thair of, may resolve vpoun fuche ane equall course thairin, as youre maiestie, in youre princelie wifdome, shall hold fitting. And so, continewing oure eirnist

prayers vnto God for youre maiesteis lang, happie, and bliffed reigne,
we rest for ever

Your Maiesteis most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
LINLITHGOW.
PERTHE.

MELROS.
WIGTOUNE.
CARNEGIE.

Edinburgh, the 28 of Apryle 1624.

To the King his most sacred and
excellent Maiestie.

Indorfed:

“ The Counsell concerning a
lettre fente by the K. of
Sweden.

“ 28 Aprilis 1624.”

CCCXXV.—LICENCE BY KING JAMES VI. TO THE EARL OF NITHISDALE.

JAMES R.

RIGHTE trustie and righte welbeloued counsellour, and righte
trustie and righte welbeloued cofen and counsellour, wee greete yow well:
Whereas for certeyne good respectes and reafons, to our selfe knowne, wee
haue bene pleased to giue licence to our righte trustie, and righte wel-
beloued cofen and counsellour, the earle of Nethesdale, to trauelle
and be absent oute of our dominions for some time, wee haue thoughte

good, by these præsentés, to require yow to holde hand, and haue a speciall care that, during his said absence, he receaue no wrong, eyther in mater of iudicatorie or otherwise; and in speciall, if anie of his creditouris shalbe so importunate as to craue their principall fummes in the time of his said absence, that yee wold deale with them to accepte of their iuste annual for a reasonable time, at leaste, for one yeare. And, not doubting of your speciall care herein, as in a mater moſte earniſtly by vs recommended to yow, wee bid yow farewell. Giuen at our mannour of Greenwich, the 21 day of Maie 1624.

To our righte truſtie and righte welbeloued counſellour, Sir George Hay, knighte, our Chancellour; and to our righte truſtie and righte welbeloued coſen and counſellour, the Earle of Melros, our principall Secretarie of our kingdome of Scotland.

CCCXXVI.—EARL OF NITHISDALE TO THE EARL OF ANNANDALE.

MY NOBLE LORD AND BROTHER,

IN all the particulers that conferne his majeſtis ſervice wpon the Borders, Johne Yowng haith tham to delyver to yow: ſum wthers which ather concerns me in particuler, or us bothe, he haith leykweys. I did intend to have helped my diſtreſſed eſtet be his majeſties favor in Irland, which I have requiſtit Mr Grahme, when my Lord Duik ſhall have recovered perſyt health, to preſent wnto his lordſhip, which Alexander Gordon will follow. That which I am to intreat of yow, for the preſent, is to diſpatche Johne Yowng home, and that theſe munis which the duik will giue, may be remembered wpon as your lordſhip finds fitt occaſion, without importunating, becauſe, with much moir, it is freilie beſtowed; when the ſam ſhall be had, yow ſhall relive my ring with two hundreth punds, and

pey thre hundreth, which yowr felfe and James haith bond yowr felfes for me: the rest fend home, or delyver to Archibald Boyl, for payment of interes to thes I am adetted to at home. Yow must leykweyfe procur my lord ducks letter to fend home to confort my wyfe, with letters to the chanfaller and presedent of Scotland, shewand, that, durand my absence, his grace will be protector of what concerns me, and, in that kynd, intreats their favor. What other thing fall occur, quherinto yow think fitt to be trubilfome to his grace at his majesties hand, I know yow will find noe lothing at his hands if it concerns me. Thoght yow apprehend that discontented humors possellis me, I craue no moir at Gods hands, for the weall of my hous and cheyld, bot that his grace may have long and good healthe. My sacred maister, and our prinse, whom God long preserve, being alyve, in yowr brotherlie cair, I haue full confidence, and remits to yowr felfe all my privat affairs, to be disposed as yowr lordship thinks fitt, I fall be ever

Yowr Brother to ferve yow,

NITHISDAILL.

Denmark Hous, May the xxviii, 1624.

I must intreat yowr lordship will reid over ane letter sent to me be Sir James Macdonnell, and intreat his majesties confideration of his estat. I have tauld him that he neids not fear bot his majestie will provyd, in his oune tyme, to supple his defeys.

To my noble Lord and Brother, the
Earle of Annandaill, These.

CCCXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THE importatioun of foreyne victuall hes bene so frequent and commoun, and in so exceiding grite aboundance and quantite, thir tua

or three yeiris bigane, as the most pairt of the moneyis of this kingdome hes bene exported and bestowit to that vse, wherupoun hes followit suche ane scairstie and penurie of money, that numberis of your maiesties subiectis, of all rankis, whose burdynis straited thame at this terme, and who wer willing and responfall, in landis and goodis, to haif gevin vnto thair creditoures satisfactioun, wer, to thair grite greiff, dishabled, through the scairstie of moneyis, to do the same. The consideratioun quhairof, moued vs, vpoun the humble petitioun of Williame Dik, and Williame Wilkye, burgeiss of Edinburgh, who wer speciall importaris of this victuall, and had suche ane quantitie thair of lyand vpoun thair hand, and reddie to spill, be reafoun it wes sa soone broght in, and thair wes few or nane to buy it, to grant vnto thame ane licence, for exportatioun of ane certane quantitie of the same victuall, especiallie qubyte, whilk wes the grayne the cuntrey stoode least in neede of, and wherwith thay vndertooke to bring in money, or, gif the necessitie of the cuntrey should require, the double quantitie of any other foirt of victuall, whilk wes more vsfull for the cuntrey. And thay, having laidnit tua shippis with this victuall, and being vpoun thair course towardis thair porte, expecting nothing les then ony hurte frome ony, with whome your maiestie yitt standis in termes of freindship and correspondence, thair shippis wer, notwithstanding, persewed, boordit, and tane, be tua warre shippis of Dunkirk, and caryed in to the toun of Dunkirk, where the shippis and goodis ar maid laughfull pryise. This is a mater, whilk, in oure humble opinioun, wald be narrowlie aduertit and looked vnto, not so mekle for the priuat interesse of the tua honnest men, who ar heirby verie far damnified, as for the publict interesse of the whole marcheant estate; for gif this be tollerate, and gif the forder course and progres thair of be not interruptit, the whole foreyne commerce of this kingdome, whilk, for the maist pairt, is interteyned with Holland, wilbe shaikin louse, and cutt af, to the vndoing, not onlie of the marcheant estate, bot to the grite hurte of the rest of the kingdome. And thairfor, wee will, in all humilitie, prefoome to recommend this mater to your maiesties princelie and wyfe consideratioun, humblie beseecheing your maiestie to tak suche ordour thairin, as, in the excellencie of your princelie wisdome, yow fall hold fitting, quhairthrow

the honnest men may be redrest, and restorit to thair shippis and goodis,
and the lyke of this attempt forborne heirafter. And so, with the con-
tinewing of our vncessant prayeris to God for your maiesties lang and
happie reign, we rest

Your Maiesties most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
AL. ELPHINSTON.
AR. NAPER.
A. HAMILTON.
HAMILTON.
KILSAYTH.
MELROS.

LAUDERDAILL.
R. COKBURNE.
W. OLIPHANT.
CARNEGIE.
J. ERSKYNE.
A. GIBSONE.

Halyruidhoufe, the fiftene of Junij 1624.

To the King his most sacred and
excellent Maiestie.

CCCXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING, conforme to your maiesties direction, commandit chargeis
to be direct againis Maister Robert Boyde, and the rest of the minifteris

and otheris, whome your maiestie ordanit to be confyned, for their compeirance befor ws, vpoun the tuentie fourt of this instant, to haif hard your maiesties will anent thair confyneing, declairit vnto thame, the said Maister Robert getting notice heirof, not onlie prepared himselff for a present obedience, and is this day vpoun the removing of his houshold and familie, bot to preveene the dyett, he presentit himselff befor ws, and by his petitioun humblie defyrit that he might be now hard, and your maiesties will declairit vnto him, and that he wer not vnnecessarlie forced to attend till the said tuentie fourt day, whilk wes grantit vnto him. In his petitioun, he cleired himselff of findrie imputationis, whilkis, as he alledgeis, ar objected agains him, as, namelie, that of the priuat meetingis and conventicles within Edinburgh, of the whilkis he protested, bothe by word and write, and vpoun his grite oathe, that he wes ignorant and innocent, and that he nouthur assisted thame with his prefence, nor allowed of thame, nouthur yitt buffyed himselff with thir churche materis, nor had no dealing with ony of the burgh of Edinburgh, nor no otheris thairanent, bot behaved himselff so calmelie and soberlie, as possiblie he could, eshewing all occasionis, companyis, and meetingis, whilkis might give the least mater of offence. And whereas he pretendit the necessitie of findrie his adois throughout the whole shirefdome, and the rather, for that he had a stranger to his wyffe, of whose contentment, besydis the educatioun of his childreene, he behooved to haif a cair, and that he could nouthur be accommodat with the one nor the other, within the boundis of Carrick. Wee having hard and confidderit of his petitioun, wee wald not prefoome to enlarge his confyneing without your maiesties allowance, bot hes referued the same to your maiesties awne goode will and pleafoure, wherein gif your maiestie salbe gratiousslie pleased to fauour him, oure simple opinion is, that no harme can follow thairupoun, and gif thairafter he sal happin to ouersee himselff, whilk wee looke not for, and sua fall proue vnworthie of that fauour to be shawne be your maiestie vnto him, your maiestie, vpoun knowledge thairof, may give directioun for his forder restraint, as your maiestie fall think goode; bot remitting this to your maiesties confideratioun, and humblie craving pardoun for this our presumption,

we humblie pray God to blisse your maiestie with mony long and happie
yeiris, and wee rest for euer

Your Maiesties most humble and obedient
subiectis and feruitouris,

GEORGE HAY.
MELROS.
KILSAYTH.
AL. ELPHINSTON.
AR. NAPER.
A. HAMILTON.

HAMILTON.
LAUDERDAILL.
W. OLIPHANT.
CARNEGIE.
J. ERSKYNE.
R. COKBURNE.

Halyrudhoufe, the fiftene of
Junij 1624.

To the King his most sacred and
excellent Maiestie.

CCCXXIX.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR hes of lait fallin oute, within the burgh of Dunfermyne,
vpoun the xxv day of Maij last, ane most lamentable and fearefull ac-

cident by ane suddane and terrible fyre, whilk araife within the fame, and continewed so violent, for the space of foure houris, as no foirfight nor strenthe of man wes able to resist it, sua that the poore inhabitantis, who, with mutche stryveing and extreame hafaird of thair lyveis, opposed thame selffis aganis the violence of the fyre, wer constrayned, in end, to yeild to necessitie, and to be spectatouris of this fearefull visitatioun, wherin the whole body of the toun, whilk consisted of ellevin scoir of tenementis, and fouretene scoir and sevin familieis, wes, within the space foirfaid, brynt and consumed, with the wholl plenneffing of the houffis and the barnis about the towne, wherin thair wes fyve hundreth bollis of victuall; wherby this poore toun, haueing within it sevin hundreth commvnicanthis, with faxtene scoir of bairnis, of whome the eldest is not past fax yeiris of aige, is totalie ruyned and vndone, and the poore inhabitantis, who wer a companie of industruous and verteous people, and paynefullie and cairfullie labourit for thair leving, ar reduceit to that extreame point of miserye, that no thing is left thame bot the cloathis vpoun thair backis, without house or holde to repoise thair languisheing bodyis in, as some of ws, who hes seene the desolatioun of this poore towne, can beare record. We haif beene verie solist and cairfull for a supplee to this poore toun, and hes begvn, oure selffis, to gif goode example to otheris, and, by oure lettres, we haif recommendit thame to the wholl body of this estate. And whereas this gentleman, your maiesteis auld seruand, hes, at the earnest defyre of the poore toun, vndertane to represent vnto your maiestie the desolat estate and conditioun thair of, thay haif petitioned ws, that be him we wald gif notice vnto your maiestie of the trewth of this mater, whilk, in a mater of this kynd, we could not weele deny. In the meanetyme, we fall haif a cair that the moneyis quhilkis falbe contributed for this earand, falbe prouidentlie mannaged, and rightlie distributed, according to the qualitie and necessitie of the pairtyis interessed; and in euery other thing, whilk may procure the conforte and releiff of that poore toune, no thing falbe inlaiking in ws, whiche to oure charge and placeis apperteynis. And so, with our humble prayeris vnto God, re-

commending your maiestie, and all your royall and princelie adois, to the
 protectioun of the Almightye, we rest for ever

Your Maiesteis most humble and obedyent
 subiectis and feruitouris,

GEORGE HAY.
 JA. GLASGOW.
 WIGTOUNE.
 A. MAR.

LINLITHGOW.
 MELROS.
 GLENCAIRNE.
 BUCCLEUCHE.

Haliruidhous, 16 Junij 1624.

To the King his most sacred and
 excellent Maiestie.

CCCCXX.—THE LORDS OF PRIVY COUNCIL TO THE PRINCE OF WALES.

PLEAS YOURE HEIGHNES,

IT hes bene the goode pleafour of God, laitlie, vpoun the xxv day
 of May last, to visite youre heighnes toun of Dunfermyne, with a most
 lamentable and fearefull accident, by a suddane and terrible fyre, whiche
 araife within the fame, and continewd so violent for the space of foure
 houris, as no humane witt, strenthe, nor foirsight, wes able to resist it;
 and within this space the whole body of the toun, whiche consisted of
 ellevin fcoir of tenementis, and foureteene fcoir and fevin familieis, wes
 brynt and consumed, with the wholl plenneffing of the housis, besydis the
 barnis about the toun, wherin, thair wes fyve hundreth bollis of victuall,
 whereby this poore toun, sometyme a floorisheing member of the body of

this commounweele, and haueing within it fevin hundreth commvnicanthis, with faxteene fcoir of bairnis, of whome the eldest is not past fax yeiris of aige, is totalie ruyned and vndone, and the inhabitantis, who wer a companie of vertuous and industruous people, and paynefullie and cairfullie labourit for thair leving, ar reduceit to that extreame point of miserie, that no thing is left thame, bot the cloathis vpoun thair backis, without houe or holde to repoise thair weyreit bodyis in, as some of ws, who hes seene the defolatioun of this miserable toun, can beare record. We haif bene cairfull, as become ws, for some supplee to releuee the present necessityis of the towne, and we haif begvn oure felffis to gif goode example to otheris, and, by oure lettres, we haif recommendit thame to the wholl body of this estate; and we fall haif the lyke cair that the moneyis, quhilkis falbe contributed for this earand, falbe prouidentlie managed, and rightlie distributed, according to the qualitie and necessitie of the pairtyis interessed. And whereas this gentleman, your heighnes darrest faderis auld seruand, hes, at the eirnist desyre of this poore toun, quhair he had his residence and duelling, vndertane to represent vnto your heighnes the defolat estate and conditioun thairof, thay haif petitioned ws, that be him we wald gif notice vnto youre heighnes of the trewthe of this mater, whiche we could not weele deny, and the rather becaus the towne is youre heighnes awne. And so, praying the Almighty God to wathe ouer youre heighnes persone, and to blisse youre heighnes with mony lang and happie yeiris, we rest

Your Heighnes most humble and
obedyent seruitouris,

GEORGE HAY.
JA. GLASGOW.
WIGTOUNE.
A. MAR.
LINLITHGOW.

MELROS.
LAUDERDAILL.
GLENCAIRNE.
BUCCLEUCHE.

Haliruidhous, 16 Junij 1624.

To the Prince his Heighnes.

CCCXXXI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

ACCORDING to your maiesties directioun, wee called before ws the Lordis Boyd and Blantyre, Sir James Cleland, Maister Patrik Walkinsha, and a number of the takkismen of the kirkis of Monkland and Calder, and first wee examined thame vpoun thair greevis, and what ony of thame had to propone or alledge agains others. Sir James Cleland complenit, that he being heretablie infest be your maiesties chartour, vnder your grite seale, in the landis and baronie of Monkland, with the right of patronage of the kirkis of Monkland and Calder, boght be him at a deare rate, and wherunto he had the consent of Maister Patrik Walkinsha, titulair of the benefice, and accordinglie, hes bene in peaceble and vncontraverted possessioun thir sevintene or eightene yeiris bigane. That notwithstanding, the Lord Boyd had vnkyndlie procurit a new infestment frome your maiestie of this fame patronage, vpoun the dimissioun of the said Maister Patrik, and so hes broght the said Sir James to a neidles proces of law for defence of his infestment, and possessioun following thairupoun. The Lord Boyd excusis him selff, bothe of vnkyndnes, and other wrong alledgeit done to Sir James, affirmeing that he hes done nothing in this particulair, bot that whilk ony other subiect might laughfullie haif done, for the said Maister Patrik being willing to haif maid surrender of the benefice, the said Lord Boyd delt with him thairanent, procurit the said surrender, and the consent of the bishop and chaptour of the kirk of Glasgw thairunto, and thairupoun purchest your maiesties infestment, vnder your grite seale, whilk he producit befor ws; declairing, that gif Sir James infestment be valide, and gif the fame may be sustenit, be course and ordour of law, that then his infestment, whilk is posteriour to Sir James, can not preiudge him. The Lord Blantyre his interesse is grounded vpoun a conditioun and promeis, alledgeit maid to him be Sir James, not to quarrell nor impugne his takkis; and feing, he hes no fuche promeis of the Lord Boyd, he apprehendis some feare to be

quarrellit, whilk will draw vpoun him a warrandice of all the takkis maid be him to his subtakkismen. Wee having at lenth hard thame vpoun thir pointis, at tua or three meetingis, whilkis wee had with thame thair-anent, wee earnestlie delt with thame to haif drawne thame to a submissioun, wherin we wald haif proceidit so indifferentlie and conscientioullie, as nane of thame should haif had iust cause of offence. The Lord Boyd offerit to submitt, for his pairt, to freindis. The other tua declynit the submissioun; the Lord Blantyre alledgeing, that he had no mater to submitt, and that he wald stand to the defence of his takkis, be ordour of law. Sir James altogether refusit the submissioun, as a mater whilk threatnit his vtter wrack and ouerthrow, becaus he wes bundin, and floode obleift to the takkismen in the contrair; for verificatioun quhairof, thair wes fyve or sex contractis producit befor ws. As for Maister Patrik Walkinsha his behaviour in this particulair, he preasses, by some friuolous evasionis, to clear him selff thairin; bot the trewth is, that first he gaif his consent to Sir James Cleland, his authour, and now hes maid a surrender in fauouris of the Lord Boyd. This being all that we could do in this buffynes, we humblie present the same to your maiesties confidderatioun; and quhat forder your maiestie shall command to be done heirin, vpoun the significatioun of your royall will and pleasoure, it shalbe obeyit. And sua, with our most fervent prayeris vnto God for your maiesties long and happie reign, we rest

Your Maiesties most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
MELROS.
A. MAR.
JA. GLASGOW.
AR. NAPER.

Halyruidhouse, the 25 of Junij 1624.

To the King his most sacred and
excellent Maiestie.

CCCCXXII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOUR maiestie was gratiouſlie pleaſit to recommend to our tryall, the informatione maid agains James Arnot, be his creditors, who, alledging that the ſaid James haifing maid over ſome pairt of his eſtair, in truſt, to confident perſones, *in fraudem creditorum*, did thairvpon craue to haue his bodie delyvered, to be tranſported from Bervick, whidder he had his refuge, for ſafetie of his perſone, to be incarcerate heir. Wee haue bein cairfull to proceid exactlie in that examinatioune, and to uſe all meanis of law, which might ſerve for the diſcouerie of ſuch fraudfull alienatiounes (gif any wes), and for that end, grantit ſummondis to the ſaid James, for ſummonding his haill creditouris: efter whoſe citatioune and compeirance in our haill prefencis, we tryit and found, that theſe imputatiounes wer not warrantable, bot that the ſaid James had trewlie gevin and diſponit all his awin eſtair and guidis, and alſo the haill guidis, geir, and landis, which perteinit to James Dalzell, for payment of the debtis of the ſaid James Dalzell, for whome he was ſuretie, and for whoſe debt he hes payit the ſowme of fourſcoir and ſevin thouſand merkis, Scottis money, by and attour the ſaid James Dalzell his awin guidis and geir: Swa, that no pairt of his eſtair was entrufte be him to any perſone in preiudice of his creditouris, bot himſelfe redacted to that pinch, that, for ſafetie of his perſone from imprifonement, he hes retired to Bervick, whair he leivis vpon the benevolence and charitie of his freindis, and by ſuch ſupplie as thair compaſſionat pittie of his indigent eſtair enforceis thame to miniſter to him for the entertainment of his lyfe: which, out of our bound dewtie, we doe preſent to your maieſtie, as ane ac-

compt of our proceedingis in that buffines ; and with our fervent prayeris
to God for your maiesties long and happie reigne, we rest

Your Maiesties most humble and obedient
subiectis and servitouris,

GEORGE HAY.
MELROS.
LAUDERDAILL.
J. ERSKYNE.
HAMILTON.
CARNEGIE.
W. OLIPHANT.
A. HAMILTON.

S^r. J. SKENE.
GEO. ARESKYN.
AR. NAPER.
A. FLETCHER.
J. GIBSONE.
A. HAY.
T. HENRYSON.
AL. ELPHINSTON.

Edinburgh, 29 of Junij 1624.

To the Kingis most excellent Maiestie.

CCCXXXIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

YOURE maieftieis lettre, concerning the declaratioun of your
royall will and pleafour, agains Williame Rig and his complices, come no
foonnair to oure handis, whome youre maiestie first intrusted thairwith,
bot thair went a current brute through this toun, of ane extraordinair grite
fyne to be imposed vpoun the saidis perfonis. How, or fra whome this

brute proceidit, we know not, and we will cleir oure selffis, that, to this houre, we haif euer concealled that point anent the fyne, and nowther acquentit the rest of the counfell, nor no otheris thairwith; and for this we will humelie crave your maiesteis pardoun, and beg that fauour of youre maiestie, that youre maiestiewald be gratiouſlie pleasit to tak in goode pairt oure humble opinioun concerning this fyne, whairin, as the Lord knowis, we haif no other thing befor our eyis, bot your maiesteis honour, and the generall content of youre subiectis, who, at the first raising of the vncertane brute of this fyne, quhair of the particular is yitt vnkowne vnto thame, wer so moued with the rairnes of the mater, and the apprehensioun of feare, vpoun the preparatiue and consequence thair of, as we haif not hard of a mater so hardlie tane with, and so dangerouslie apprehendit, be all rankis of personis; ffor the lyke of this fyne wes neuer hard of in this kingdome, and thair wes never a cryme (how grevous foeuir), whilk wes punishable be fyneing, that reſſaut ſuche a censure; nor can the meanes of priuat personis afforde ſuche ſowmes, and the man him ſelff, althoght, in the generall opinioun of the people, he be welthie, is not knowne to haif so mutche ſtock as the ſowme impoſed; and yf it be left in record, it will importe the effect of ane forfeytour, and a depyveing him of his wholl estate, quhilk, in a mater of this kynd, reſpect being had to the qualitie of the offence, and quantitie of the fyne, will not be warrandit be example, and, in the opinioun of mony, will not ſubiſt in courſe of juſtice. The conſideratioun wherof hes moued ws hithertillis, to conceale the fyne, being perſuadit that the counfell wald neuer allow thair of, and we wer loathe that ony of youre maiesteis directionis ſould reſſaue ane interruption, or hard interpretation. The rest of your maiesteis pleaſour concerning him, and his aſſotiates, by declaration maid of thair being ever incapable of ony publiet functionis, is ſatiſſeit, and he ſhall keepe warde in the Blaknes, and the rest in thair wardis, till your maieſtie, in the excellencie of youre wiſdome, compairing this puniſhment with the qualitie of the offence, ſhall reſſaue contentment, wherwith we will moſt humelie beſeeke your maieſtie to reſt ſatiſſeit, and to pardoun our preſumptioun and bauldnes, wherin, as we haif formarlie ſaid, we haif no other reſpect bot your maiesteis honnour, and con-

tent of youre subiectis. And so, praying the Almighty God to preferue
youre maiestie in healthe and happynes, with a lang and blissed reigne,
we rest for euer

Youre Maiesteis most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
A. MAR.
MELROS.
W. OLIPHANT.

Haliruidhous, the first of July 1624.

To the King his most sacred and
excellent Maiestie.

CCCXXXIV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

WE ressaue your maiesties lettre, of the xxij of Junij last, and,
to oure exceeding grite greiff, we perfaue that your maiestie hes tane of-
fence at oure proceedingis, in that mater concerning William Rig, and
that sentence wes not pronunceit aganis him, conforme to your ma-
iesties directioun, wherin we will humelie craue pardoun, to cleir oure
felffis, that no priuat respect nor consideratioun towardis the man, could
haif induceit ws to ouersie the least point of dewtie, in the executioun of
your royall commandmentis; bot knoweing that your maiesties princi-
pall ayme, in this and otheris materis of the lyke kynd, is groundit vpoun
a most religious and princelie refolutioun, to haif your maiesties lawis,
concerning the ordouris of the church, to be reuerentlie obeyit, and a

peceable and fruitfull ministerie to be establisheit in this burgh; fo, at the dyet appointit for pronunceing of youre royall will aganis the said Williame, he compeirit, accompanied with the whole ministeris of this burgh, and not onlie most submissiuelie acknowlegeit his ouersight in that Twif-days meeting, afoir Easter last, and cleirit him selff of some mistakingis in his depositionis, and quhairin he had foryett him selff, by granting a point never spokin of be him in the meeting fairfaid: bot with that, the ministeris, after a havye regrait maid be thame of thair hard estate and condition within this burgh, and how thay had a purpos to haif beggit leave to haif left thair ministerie,—in end, thay declairit, that, vpoun conference with the said Williame, thay had reffaut grite contentment and satisfactioun, in the mayne pointis, wherin he pretendit his doubtis, and wer in goode hoip of his future conformitie and obedyence; and that the rest of the nightbouris of the towne, who hes the gritest hand in this buffynes, wald, by his example, do the lyke, quhairupoun wald follow the peace of thair churche, respect to thair personis, and a hairtie and mutual harmonie betuix thame and thair flocke, whilk wes the onlie thing thay focht. And, thairfoir, thay humelie interceidit for fauour vnto the said Williame, and that the declaratioun of youre royall will aganis him might be deferred for some certane space. Thay being at lenthe hard, and the expedience of thair propositioun debaitit at the counsell table, and the archiebishop of Sanctandros, who, as youre maiestie knowis, hes the gritest cair in thir churche materis, and whose opinioun is mutche reuerenceit and followit thairin, not onlie ioyned with the ministeris, in thair propositioun and desyre, as the fittest course to procure obedyence and peace in the churche, bot voided with ws, to the superfeiding of the declaratioun of youre will and pleasour. This being the simple trewth of the cariage and progres of this buffynes, we will humelie beseeke youre maiestie to accept the same in goode pairt, as proceedinge frome thame, whose cheif cair and indevoiris, in the charge and placeis quhairwith youre maiestie hes honnourit ws, is to approve ourefelffis worthie of oure charge, and anfuerable to the truste youre maiestie repofeth in ws; we haif depnyed the said Williame frome his office of baillierie, and hes declairit him and the rest incapable of ony publict charge, in churche or towne, heirafter;

and hes directit thame to thair warde; and in all otheris thingis, quhilkis may procure your maiesties obedyence and contentment, the peace of the kirk, and respect to the ministeris, thair falbe no thing wanting in ws, whilk to the dewtie of our place, as counsellouris, and alledgeance, as humble subiectis and feruitouris, apperteynis. And so, with the continewance of our humble and eirnist prayeris vnto God for youre maiesties lang and happie reignn, we rest for ever

Youre Maiesteis most humble and obedyent
subiectis and feruitouris,

GEORGE HAY.
MELROS.
W. OLIPHANT.
SR. J. SKENE.
AR. NAPER.
J. MAR.
LAUDERDAILL.
R. COKBURNE.

J. GIBSONE.
MORTON.
CARNEGIE.
AL. ELPHINSTON.
LINLITHGOW.
J. ERSKYNE.
HAMILTON.
KILSAYTH.

Haliruidhous, the first of July 1624.

To the King his most sacred and excellent Maiestie.

CCCXXXV.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

AFOIR the refett of youre maiesteis lettre, of the sevint of this instant, whilk wes directit to the whole counsell, we, youre maiesteis chancellair and secretaire, had diuers meetingis with the earle of Nithifdail his creditouris, and eirnistlie delt with thame for a continewatioun of personall executioun aganis his cautionaris, till this approtcheing

Martymes ; and now, vpoun the refett of this laft lettre, the creditouris wer broght befor the counfell table, and the mater, of new, vrged of thame, with all the instance and reffonis that might induce thame thairunto ; and becaus of the neir approtcheing of the terme, the continewatioun wes vrged till Whitfonday, and promise wes maid vnto thame of thair annuellis. We fand a willingnes in fome of the creditouris, and a plane and direct oppositioun in otheris, who pretendit mony difficultis and reffonis, quhairfoir that mater fould not be vrged of thame. And towcheing that point of youre maieftis lettre, anent the recalling of compryfeingis, inhibitionis, and hoirningis, vfed aganis the faidis cautionaris, the creditouris wer fo far aganis the fame, as thay oppofed thairunto refoun, law, iuftice, and praftique of the kingdome ; and that this table could not medle in a mater of that kynd, depending vpoun thair rightis and fecurityis, whilkis wer to be hard in another iudgement ; and the wholl counfell thocht, that, befydis the breache of law, the fauour craued wald ouerthrowe all trufte, commerce, and intercourfe, within the kingdome, and, confequentlie, wald produce griter inconuenientis, to the hurte of the eftate, nor could be for the prefent foirfeene. This being the effect of oure procedingis in this buffynes, we humelie prefent the fame to youre maieftis confideratioun, with oure humble and eirnist prayeris vnto God for youre maieftis lang and happie reignn. Frome Haliruidhous, the xv day of July 1624.

Youre Maieftis moft humble and obedyent
fubieftis and feruitouris,

GEORGE HAY.

A. MAR.

MELROS.

J. ERSKYNE.

AR. NAPER.

W. OLIPHANT.

MORTON.

LAUDERDAILL.

CARNEGIE.

ROXBURGHE.

HAMILTON.

To the King his moft facred and excellent
Maieftie.

CCCLXXVI.—DEPOSITIONS OF ROBERT ELLOT AS TO THE INTENDED
CAPTURE OF THE EARL OF BUCCLEUCH, &c.

At Edinburgh, the xvii day of Julij 1624; in prefence of the Lordis
Chancellour, Thesaurair, the Erllis of Moretoun, Roxburgh, and
Melros.

ROBERT ELLOTT of Ridheugh, sworne, and examinat vpoun the purpois
and intentioun of taking the erll of Bugcleuchis lyffe, deponis, That Gib
Ellot, callit the Tutour, proponit first to the deponner the murthour of
the faid erll, faying, the deponner wald neuir be at rest, till the erll wer
cutt off; and he vndertooke to do the same within a year; bot the depon-
ner neuir aduysed, nor counsaillid him thairto: And fayes, that Gib come
to Jedburgh to tyme of a iustice court, and thairafter to Edinburgh, to
haue done the turne; and grantis that the deponner tauld this mater to
Gawane Elliott, who anfuerit the deponner, that Gib wes bot a feeble
couter, and wald neuir do the turne.

At Halyrudhous, the nyntene day of July 1624; in prefence of the
Lordis Chancellour and Thesaurair, the Erllis of Mortoun, Rox-
burgh, and Melros.

Robert Elliot being demandit, In what plaice Gib Elliot, callit the Tu-
tour, first proponit vnto him the purpois concerneing the murthour of the
erll of Bugcleugh? deponis, The first tyme that Gib Elliot moued that
buffynes to him, wes at the watter syde, neir to the deponneris dueling
hous of Demayneholme, whither Gib haid purpoissie come; quhair, haue-

ing regraitted the erll of Bugcleuch his hard vface of the deponner, and his whole name, he brak of the purpois concerneing the erll of Bugcleughis lyffe, faying, that yf he could gett help and maintenance, he wald vnder-tak, vpoun the perrell of his lyffe, to do the turne within a yeir. Demandit, Quhat he anfuerit, when Gib first motioned this matter vnto him? Grantis, that he intertenyed the motioun, and that Gib and he haid oftentimes purpois concerneing that buffynes, at euery vther tyme when Gib come to his hous: Grantis, that within aucht dayes after Gib Elliot proponned this buffynes vnto him, the deponner communicat the fame to Gawane Elliott in the Hilhouse, who wes verrie jealous and fuspitious of Gib, that he durst not do the turne, calling him a feeble fellow. Demandit, At what tyme, and in what plaice, Gib Elliot refolued to do the turne? deponis, At the tyme of the halding of the iustice court in Jedburgh, and thairefter in Edinburgh: Grantis, that he wes in Jedburgh at that tyme, whiche wes appoyntit for putting thair purpois in executioun: Denyis that he euir gaif any thing to Gib Elliot to do the turne. Demandit, After the purpois failed in Jedburgh, quhat wes the nixt appoynted tyme and plaice for conferring vpoun that subiect? deponis, Thay haid findrie meittingis and conferenceis thairanent, and that Gib Elliott wes of opinioun that the turne might be best done in Edinburgh, and with least danger; quhairvpoun, the deponner and he come to Edinburgh, quhair, haueing attendit the euent of the buffynes some certane dayes, Gib Elliott, Robin Young, and the deponner, returned hame, all thrie togidder; bot denyis that he haid any conference with Gib Elliott anent the murthour of the faid erll, at that tyme, and in the prefence of and heiring of Robin Young; nather rememberis he what past betuix thame in thair ryding betuixt Maxuelheugh and the Mostoure, bot grantis that, befor he com into Edinburgh, he tauld Robin Young, that Gib Elliott haid vndertane the buffynes. Demandit, Yf, the tyme he wes in Edinburgh, Gib Elliott boght a quhinger, and broght it to the deponner and Robin Young, and shew it vnto thame, faying that it wes a fit instrument for the purpois thay haid in hand? Grantis the fame to be of verritie. Demandit, How fone he directit Gib Elliott into Edinburgh, after his returne hame? deponis, Within aucht dayes; and grantis that he haid

Robin Young in Edinburgh befor Gib, to ressaue the pryce of a horse, whilk the deponner haid fauld at his last being in toun. Demandit, How meikle of the pryce of the horse he ordanit Robin Young to delyuer to Gib Elliott? deponis, Tuentie pundis. Demandit, What conference Gib Elliott haid with him after Gib his bakcomeing frome Edinburgh, and that the purpois haid failled thair? deponis, He inquyred findrie thingis of him, the particularis wherof he can not remember. Demandit, Gif thair wes any discord betuixt Gib Elliott and him, befor the deponneris lady caused fell Gib Elliott his knolt? Denyis that thair wes euir any discord and variance betuixt him and Gib.

Item, The said Robert Elliott being examinat, and demandit anent the stealing of Maister Herroun and Williame Charletoun thair ky, deponis and confessis, that he wes airt and pairt of the stealling and ressetting of fax ky fra Maister Heroun, in Chipfeis, about Mairtynmes last; and that Edie and Will Vfehearis and Gib Elliott, callit the Tutour, being his awne fervandis, wer actouris with him in this thift: And forder, he confessis that the said Edie and Will Vfehearis, his fervandis, haueing stowen frome Williame Charletoun, of Yslysyde, tua ky and ane ox, the saidis goodes wer broght to his house, and ressett be him, and eaten in his house.

CCCXXXVII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

HAVING, by oure lettre of the 26 of Marche, acquaintit your maiestie, how far we had proceidit in the tryall and examinatioun of that detestable purpois contrived be Robert Elliott of Ridheugh, agains the lyffe of the Earle of Bugcleugh, and vndertane to be execute be Gib Elliott, callit the Tutour; youre maiestie, ressenting the interpryse, as it wes, indeid, bothe bafs and vnworthie, in respect of the circumstances and

qualitie of the persone agains whome it wes intendit, being a nobleman, a counsellour, a commiffionair in the boundis where the murthour wes contrived, and the faid Robert his superiour, youre maiestie wes pleafed to will ws to go on in the tryall and punifhement, fo far as the courfe of law wald allow ; and if the lawis in that point wer defectiue, that the more exact diligence fhould be vfed for difcouerye of the thift, quhairof the faid Robert wes challenged, for your maiesties fatiffactioun ; in whiche point we haif bene verie carefull, by divers examinationis, to rype vp the whole treuthe and mifterye of this mater ; and after findrie meetings and denyallis, on the faid Robert his pairt, the dyet for his criminall perfitte, vpoun the thift, being at hand, and the verificationis thair of verie vndoutit and pregnant, wee then layed before him the conditioun quhairin he ftoode, and the inevitable danger he wes to vndergo if the dyet held fordwart ; and, after muche dealing heirin, he wes brought to a confeffion, bothe of the intendit murthour and thift, as by his depositions, fend heir-with, your maiestie will perceave. How foone the erle vnderftoode of this confeffion, he being moued with pitie and commiferatioun of his eftate, he not onlie delt for a delay and continewatioun of the criminall dyet, whiche, at his earnest intreatie, wes grantit, bot he allowed that wee fhould humblie interceid for fauour vnto him at your maiesties handis, quhilk, in all humilitie, wee remitt to your maiesties princelie confideratioun. His tua colleagues in the thift hes vndergone thair tryall and punifhement, the father being execute, and his fone, inrefpect of his confeffion and young yeiris, being banifhed the kingdome. He hes ane man callit Robert Young, who wes previe to this mater, and agains whome the faid Robert Elliott himfelf, and Gib Elliott, callit the Tutour, hes deponit, that he not onlie knew of the buying of the quhingear, be the faid Gib, to the effect abouewrittin, bot alfo wes present at thair conference, vpoun this fubiect, betuix Maxuellheugh and Mofstoure. He is now prifonner in the tolbuthe of Edinburgh, for his obdurate denyall ; and wee wald humblie know your maiesties pleafour, quhat falbe done with him. This being the effect of oure proceedingis heirin, wee humblie present the fame as ane accompt of oure diligence, and what forder your maiestie fhall be pleafed to command thairin fhall be obeyit. And fo,

with our vncessant prayeris vnto God for your maiesties long and happie
reign, wee rest

Your Maiesties most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
MELROS.
A. MAR.

MORTON.
ROXBURGHE.

Halyruidhouse, the 22 of July 1624.

To the King his most sacred and excellent Maiestie.

CCCXXXVIII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERAIGNE,

VPOUN informatioun maid to ws, of some appeirance of trouble
and vnquietnes, lyke to haif fallin oute betuix certane of the erll of Hooke
his tennentes, on the ane pairt, and some of lord Gray of Wark his men,
on the other pairt, vpoun occasioun of the douncasting of the faid earle
his miln dame of Spyla, committit be the faid lord Gray his men, and of
the slaughter of one of his men, whiche vnhappellie fell oute in the oppo-
sitioun maid to the douncasting of the faid dame; wee, being cairfull, as
become ws, of youre maiesties peace, and to prevent all occasionis quhilk
might disturb that goode correspondence, whilk your maiestie so earnestlie
wilheis to be mutuallie intertenyed betuix the tua kingdomes; wee not
onlie write to the shireff of Beruick to informe ws of the particularis of
that buffynes, and to conueene the iusticeis of peace within that boundis,
and, by thair ioynte authoritie, to bind all the pairtyis on this fyde, inter-
essed in that mater, to the peace, bot wee lykewayes write, to this same
end, to the iusticeis of peace within Northumberland, and wee earnestlie
recommendit vnto thame, that a meeting of the commissiounaris of the

Middlefhyris might be appointit for trying and punisheing of the offendaris on either fyde, and fatling of ane constant ordour for the peace in tyme comeing. Thay haif bothe returnit vnto ws thair anfuer, proporting, that thay haif tane sufficient ordour for the peace; bot anent the meeting of the commiffionaris, thefe of that fyde hes maid no mentioun. Wee ar informed frome the fhireff of Beruick, that the Spyla miln hes bene a gangand miln thir fourtie yeiris bigane; and that vpoun the fevint of this instant, fome of the lord Gray his men, to the number of tuentie perfonis, come, afoir the fune raife, to the faid dammheade, and kaift down the fame, and that the oppositioun wes onlie maid be three men; bot leaving this to the ordinair tryall and examinatioun, wee will humelie requieft your maieftie, feeing this mater may draw deipair to the difturbance of youre maiefties peace, that youre maieftie wald be pleafed to write to the faidis commiffionaris of the Midlefhiris, to appoint a meeting, fa foone as convenientlie may be, and not onlie to tak exact tryall of this buffynes, and accordinglie to censure the fame, and to fetle that ordour quhilk may remoue all forder occafion of trouble heirafter, bot lykeways to tak ordour for fatling of the differenceis betuix the Lord Walden his tenentis, and the lairdis of Wedderburne and Blacader, anent the fifheingis foiranent Fifhewick, quhilk hes alreaddie bred grite trouble, and is lyke to produce forder. And fo, with oure earneft prayeris vnto God for your maiefties long and happie reign, wee reft

Your Maiefties moft humble and obedient
fubiectis and feruitouris,

GEORGE HAY.
MORTON.
LAUDERDAILL.
A. MAR.
ROXBURGHE.

PA. B. OF ROSS.
J. GLASGOW.
BUCCLEUCHE.
MELROS.
J. ERSKYNE.

Haliruidhoufe, the 22 of July 1624.

To the King his moft facred and excellent Maieftie.

MOST SACRED SOUERANE,

We intimat, lykewayes, vnto thame, youre maiesteis will and pleasour anent the commynioun, wherunto thay willinglie acquiescit, with promeis of conformitie and obedyence, humelie intreating youre maiestie, that yf any foolishhe people of thair towne fall stand oute and be refractar,

that the weyght of youre maieſteis wraithe ſould light vpoun thame ſelffis, and that youre obedyent ſubieſtis of the toun ſould not be troublit for thair foleyis. We haif gevin directioun to mak intimatioun of the celebratioun of the commynioun, be proclamatioun at the mercatt croce of Edinburgh, vpoun Mononday nixt, and we haif infert, in the proclamatioun, that ſame certificatioun expreſt in youre maieſteis lettre. This, for ane accompt of oure procedingis, in this mater, we humelie preſent the ſame to youre maieſteis conſideratioun, with our humble and eirniſt prayaris vnto God for youre maieſteis lang and happie reignn. Frome Haliruidhouſe, the 29 of July 1624.

Your Maieſteis moſt humble and obedyent
ſubieſtis and ſeruitouris,

GEORGE HAY.
ROXBURGHE.
CARNEGIE.
A. MAR.
MELROS.
MORTON.

LAUDERDAILL.
HAMILTON.
BUCCLEUCHE.
W. OLIPHANT.
AR. NAPER.

To the King his moſt ſacred and excellent
Maieſtie.

CCCXL.—EARL OF MELROS TO KING JAMES VI.

MOST SACRED SOUERANE,

How ſoone your maieſties letter, commanding the ſtay of proceeding, in the action perſued by the Earle of Roxburgh aganis Francis Stuart, came to my hands, I went to the earle, and ſignified to him your maieſties pleaſure, which he promiſed humbly to obey, and to ſurceaſe

all farder instance till he fould obteane your maiesties permissiō to the contrarie, assuring me, that he fould testifie his due obedience by his owne letters. So, praying God to blesse your maiestie with accomplished prosperitie, I rest

Your Maiesties most humble, faithfull, and
bund subiect and seruant,

MELROS.

Edinburgh, penult July 1624.

To the Kingis most sacred Maiestie.

CCCXLI.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a complaint gevin in this day vnto ws, in name of the commissiōnaris of the Midleshyris, proorting, that althocht thay haif bene verie solist and carefull to approve thame selffis anfuerable to the trust, your maiestie hes repoised in thame, not onlie by keeping of goode correspondence, executing of iustice, and causing of reall redres to be maid of all complaintis on the Inglishe fyde, fua, that now thair is no stouthis nor reaffis hard of vnredressed on this fyde: that notwithstanding, a pairt of the boundis on the Inglishe fyde, as, namelie, Tyndaill and Riddisdail, is in a maner brokin loufe, and frequent stouthis committed within the fame, and no redres at all maid, be reasoun, as we conceave, that since the de cease of vmquhile Sir Harye Widrington, that had charge ouer these boundis, thair is no persone of qualitie authorifed with commissioun, with in the saidis boundis, to tak ordour with the saidis difordouris, as is done at the east and west handis, quhairby your maiesties subiectis, on this fyde,

ar havelie preiudget, and may be tempted to seek redres vnlaughfullie, if some course be not tane that a mutuall correspondence and redres be indifferentlie keepit on bothe fydis; quhairof, we thocht meete to mak your maiestie forseene, to the intent your maiestie, after dew tryall and informatioun of the caufs of thir difordouris, may provide for preventing of the forder grouthe of the same, and suppressing of the present. And so, praying God to blisse your maiestie with mony long and happie yeiris, we rest

Your Maiesties most humble and obedient
subiectis and feruitouris,

GEORGE HAY.
MELROS.
W. OLIPHANT.
S^r. J. SKENE.

Edinburgh, 4 Februar 1625.

To the King his most sacred and
excellent Maiestie.

CCCXLII.—THE LORDS OF PRIVY COUNCIL TO KING JAMES VI.

MOST SACRED SOUERANE,

THAIR wes a signatour gevin in to ws, vnder your maiesties hand, and recommendit be your maiesties lettre, to be exped, contening ane infestment of the lordship of Kintyre, in fauouris of the earle of Argyll, his eldest sone of the secund mariage; after confideratioun quhairof, having callit to oure remembrance, how that the passing of this infestment wes verie instantlie vrged be the earle himselff, the tyme of the parliament, in the fix hundreth and sevinteene yeir of God, quhair your maiestie wes present, and how that grite oppositioun wes maid thairunto be the said earle his cautionaris, as, namelie, be the constable of Dundee, the

lairdis of Lundie, Laweris, and some otheris, who constantlie affirmed, that thay had no hoipis of releif of thair grite ingadgementis for the said earle, if that infestment wer exped, feing the lord of Lorne, the said earle his eldest sone, stode infest in the fee of the whole rest of his leving, and nothing wes restand, wherupoun thay might gett reall executioun for thair releiff. And whereas your maiestie, oute of your gracious respect of thir gentlemenis releiff, allowit of the staving of the infestment at that tyme, we thairfoir thought that we could not be ansuerable to your maiestie, if now, without hearing of thame, we sould give way thairunto; and thairfoir, we wret for thame, and Lundie compeirand, he renewit, with verie grite instance, the formair suite anent the staving of the infestment, and gaif in a note of threttie sex thousand, aucht hundreth, and three pund, wherin he yit standis ingadgeit for the said earle, besydis tua thousand pundis, with some annuellis that he hes payit. We having at lenth hard him, as alsua the said earle his agent, who attendit this bussynes, and who had nothing to say agains the note of the ingadgementis foirfaidis, we haif maid choise rather to stay the infestment, nor rashelie to giue way thairunto, till first we be consultit with your maiestie thairanent, wherin, craving your maiesties pardoun for this shorte delay, and being readdie, according to our bundin dewtie, vpoun significatioun of your maiesties royall will and pleasoure in this particular, to conforme our selffis thairunto, we pray God to blisse your maiestie with mony long and happie yeiris, and restis

Your Maiesties most humble and obedient
subiectis and feruitouris,

GEORGE HAY. .
MELROS.
W. OLIPHANT.

Edinburgh, the fourte of Februir 1625.

To the King his most sacred and
excellent Maiestie.

CCCXLIII.—THE NAMES OF THE NOBILITIE OF SCOTLAND, NOWE HEERE
TO ATTEND THE FUNERALL OF KINGE JAMES.

The Lord Chancellor.
The Duke of Lenox.
The Marquefs Hamilton.
The Archbifhopp of Saint Andrewes.
The Earle of Mar, Lord Treafurer.
The Earle Marfhall.
The Earle of Morton.
The Earle of Eglinton.
The Earle of Buchan.
The Earle of Nethifdail.
The Earle of Linlithgoe.
The Earle of Home.
The Earle of Wigton.
The Earle of Tullibardin.
The Earle of Roxbrough.
The Earle of Kelley.
The Earle of Balclewth.
The Earle of Melrofe.
The Earle of Annandail.
The Earle of Laudirdale.

The Lord Gordon, eldeft fone to the Marquefs Huntley.

The Lord Vifcount Aire.
The Lord Erkin, eldeft fonne to the Earle of Marr.
The Lord Fenton, eldeft fonne to the Earle of Kelley.
The Lord Binning, eldeft fonne to the Earle of Melrofe.
The Lord Spynee.

The Lord Madertie.
 The Lord Pittinweeme.
 The Lord Brufe.
 The Lord Caluill.
 The Lord Kincleuin.

KNIGHTS, PRIUEY COUNSELLORS OF SCOTLAND.

Sir Archibald Napeire.
 Sir John Hamilton.
 Sir George Elphingston.
 Sir Andrew Kerr.
 Sir William Alexander.
 Sir John Scott.

OFFICERS.

Sir William Seaton, Master of the Household; equall to the
 Treafurer or Comptroller of his Majesties House heere.
 Maister John Oliphant, his Majesties Agent; equall to his
 Majesties Solicitor heere.
 Maister William Chambers, Treafurer Clerk; equall to Sir
 Robert Pye, Auditor of the Exchequor heere.
 Maister John Fenton, Comptroller Clerke; equall to the
 Clerkes of the Greenecloth heere.

These verye Scotife Nobellmen present at the Funerall of King
 James, in Maij 1625.

CCCXLIV.—THE LORDS OF PRIVY COUNCIL TO KING CHARLES I.

MOST SACRED SOUERANE,

THE charge and burding of your maiesteis seruice agains the rebellis of the Claneane, (be whome, not onlie youre maiesteis awne subiectis, bot the subiectis of otheris princes, your maiesteis freindis and confederatis, wer haviellie distrest and robbed of thair shippis and goodis, and some of thame cruellie and barbarouslie slayne), being committit to the Lord of Lorne, he, oute of his humble and dewtifull respect to your maiesteis obedience, not onlie willinglie vndertooke the seruice, bot he hes prosequute and followit the same oute, with grite resolutioun and dexterie; and that with his awne proper freindship and forceis, without ony trouble or burdyne to the cuntrey, in so far that, whereas it is vsuall throughout the Ilis, in expeditionis of this kynd, that victuallis ar takin without payment, the said lord wes so respectiue of his credite in that point, that haueing fyfteene hundreth men in his company, he tooke fuche ane strait ordour with thame, that, during the wholl tyme of the seruice, nane of thame durst meddle with ony victuallis, bot for present and reddey payment. In the prosequitioun of the seruice, he hes execute, be course of iustice, ten of the rebellis; he hes slayne sax of thame; and he hes broght heir to the burgh of Edinburgh fourteene, who ar to vnderly thair tryall and punisshement. He compeirit this day befor youre maiesteis counsell, and gaif ane accompt of his diligence and procedingis in the seruice, wherin we find that he hes approvin him self anfuerable to the truist wes repoised in him. And whereas he is a young nobleman, and this is the first of his imploymentis, wherin he hes worthelie and dewtifullie dischargeit him self, we could not forbear to gif notice of the same to your maiestie, to the intent, that yf the lyke occasioun of seruice fall oute in the Ilis or Heylandis of this kingdome, your maiestie may be assured of

one who is both able and willing to ferue your maiestie. And so, in all humilitie recommending him to your maiesteis fauour, and his seruice to your gracious allowance and acceptance, we pray the Almighty God to watche ouer youre sacred perfone, and to blisse youre maiestie with mony lang and happie yeiris, and we rest for ever

Your Maiesteis most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
PERTHE.
A. MAR.
MELROS.

MORTON.
ROXBURGHE.
WINTOUN.

Edinburgh, 29 July 1625.

To the King his most sacred and
excellent Maiestie.

CCCXLV.—THE LORDS OF PRIVY COUNCIL TO KING CHARLES I.

MOST SACRED SOUERAIGNE,

WHEREAS your maiestie wes pleasit to recommend vnto ws, the taking of some cair in the Duke of Lennox his affaires, and to foirfee that his estate and leving wes prouidentlie and ordourlie managet by the commiffionaris intruisted thairwith; wee, according to oure bundin dewtie, wald haif bene most solist to haif gevin vnto your maiestie satisfioun thairin, bot the absence of Sir George Elphinstoun, one of the faidis commiffionaris, and who hes the speciall handling of that mater, hes bene a grite lett and hinder to our proceidingis, feing, without him, wee could gett nothing done thairin; quhairthrow thair is nouthar compt tane of the chalmerlanis, nor yitt of the tennentis, of whome some ar become

verie poore, and the longer that thair dewtyis ly in thair handis, thair payment will prove the more difficle. And thairfoir, wee will humblie intreate your maiestie, if Sir George be not fhortlie to come home, that your maiestie will mak choife of the Lord Carnegye, with fuche otheris as your maiestie will intruist, with the charge of the said duke his leving, and hes his constant abyding in this kingdome, to the intent, the absence of the one be not a preiudice to the other; and whome wee fall not onlie affist with oure aduise and counsell, in all that concernis that charge, bot wee falbe carefull, fra tyme to tyme, to craue ane accompt of the progres of thair procedingis thairin. Quilk, remitting to your maiesties royall confideratioun, and praying God to blifs your maiestie with mony long and happie yeiris, wee rest

Your Maiesties most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
A. MAR.
MELROS.

Edinburgh, the first of August 1625.

To the King his most sacred and
excellent Maiestie.

CCCXLVI.—EARL OF NITHSDAILL TO THE EARL OF ANNANDAILL.

MY LORD AND BROTHER,

I HAUE, at this present, refavit your letters of the 18 of this moneth, wherby I perfave the humur of our leading men continueth to oppose the kingis direcfions. Lett tham anfuer, when they cum heir, for

it. I did think yow had alredie bein wpon yowr iurney; tharfore haift, that yow may be hear as sone as they. I am forie that yow sheuld have put yowr hand to dyvers letters cum hear from the counsell, speziallie anent that of the fettilling the counsell. The soner yow be hear the better; yow may be confidante, that quhat concerns my selfe, fall be noe dearer to me then what belongs to yow, ather in honour or wtherveyis. From him who fall be alweyis

Yowr Lordships brother and fervand,

NITHISDAILL.

Hamton Court,
November the 28, 1625.

To my noble Lord and Brother, the
Earle of Annandaill.

CCCXLVII.—LORD BINNING TO THE BISHOP OF THE ISLES.*

MY VERIE HONORABLE GOOD LORD,

I HAUE presentlie reffaued frome your lordships footeman, your lordships letter of the fourt of September, from Bredick, signifeing your lordships messages to the rebelles of Duniveg, the offer to thame, of his maiesties remission, and there tryell of the sufficiencie therof, and, nottheles, there delay to giue there obedience, till your lordship go to Ila, whiche now your lordship is prepareing to do. I am verie forie of

* The following four articles, relative to the disturbances in the Isles, occur in a volume of MSS. amongst the Balfour Collections, which having been used by the late Mr Gregory, for his History of "the Highlands and Isles of Scotland," was not returned to the Library in sufficient time to enable their insertion at the proper date; they have therefore been placed together at the end of this Collection.

the progres and succces of that busynes, which appeares to be miscarryed, not without your lordships ouersight; for when his maiesties commission wes, according to your lordships defyre, granted to yow by the counsale, and fuche remission exped to the rebelles as your lordship requyred, your lordship vndertook, and faithfullie promiseid to the thesaurar depute and me, that your lordship should go in person, with all possible diligence, to Ila, being confident to find readdy obedyance of the rebelles there; and, after your lordships parteing from ws, we delt with your lordships sone to haist after your lordship, to latt your lordship know that we had perswaded the Earle of Caithnes to promiseis, so sone as he had performed his vnder-taken commission, to tak fordward his shippes, shouldiours, and canones, to affeage and batter the house of Duniveg, yf your lordship should mak ws speedie aduerteisment of there delay or disobediace of your charges, as his maiesties commissionar: for which purpose, wee wrote verie particular to your lordship, by Duncan Campbell, whom wee send expref-lie to your lordship, commanding him, and requeisting your lordship, that he should not returne to ws whill he had accompanyeed your lordship to Ila; and vpon the sight of the event of your trauelles, might haue reported to ws, by your lordships letters, and his owne sight, the certantie of thinges; whom your lordship send back to ws from Bute, with your letter, bearing faithfull promese, that his jorney should not be necessar, but that your lordship should go presentlie then fordward, and returne ws good and speedy contentment; whereby, finding our selues far disapoynted of our expectatioun, of new, wee drected Duncan Campbell, vpon the 29 of August, with our letteres, whiche wee thocht should have fund your lordship in Ila, and have againe, this tyme, reported the estate of your proceedings. But now, finding that your lordship is still in Arrane, and begining to mak your preparationis as for ane seruice to begin, we have good cause to regrave the inexcusable losse of so good tyme as the season of yeare, whiche brings on vnmendable difficulties, and is lyk-lie to mak the Earle of Caithnes vnhabable to do the seruice, and so to giue your lordship lesse incuragement, and such advantage to the rebellis, as may mak his maiesties house, which wes lossed by default of your keepars, to be deteaned by the rebelles, whill the nixt somer; it beeing

more probable that your lordships imploying of the cuntrey people to inclose the houle shall giue thame vexation, nor bring difficulties or necessitie of ouergeveing the houle to the rebelles, to whom your lordship hes, befyd the aduantage of there former preparation of victualis, given occasion, by this delay of tyme, to furnishe thame selues with new cornes. Neuertheles, I haue delyuered to your seruand the warrand and direction in wrytt, which your lordship craved to Donald Gorme, and shall, with extreame diligence, cause exped all that you can reasonable require, for furtherance of your vndertaken charge in his maiesties seruice. I pray your lordship confider of your burding according to the weaght thereof, and imploy your judgement, frendes, and powar geuen your lordship by his maiesties commision, for the speedy and duetifull performance thereof; for your owne credite and his maiesties honour and contentment, of whose gracious confideration of good seruices no man knowes better the affurance and experiance then your lordships selff. So, hopeing vndoubtedlie that your lordship will stryve, with care and diligence, to amend bypast negligence, and wisheing your lordship happie succes in this and all other your affairis, I rest

Your Lordships assured freind to be commanded,

BINNING.

Edinburgh, aught of September 1614.

Your lordships man hes not had cause to stay heere ane houre vpon his answer, and hes ressaued money for his charges.

Indorfed by Lord Binning:

“Copie of my letter to the
Bifchop of the Iles.

“8 September 1614.”

CCCXLVIII.—ARCHIBALD CAMPBELL TO [LORD BINNING?]

PLEIS your lordship to heir ane accompt of his maiesties service fence my going to Dewling. I cam to Dwling on the twentie of November, where I stayit whill the fowre of December, attending the shiping of two cannons, and one culwring with wtheris neecessaris, belonging to his hienes service. My lord, I cannot omitt to remember your lordship, of the gryt cair my Lord Deputie of Ireland did taik, in dispatching, with all diligence, such thingis as was committit to his charge.

On the fowrt of December, Sir Oliver Lambert, commander of his maiesties Iyrish forces, shipit in his maiesties ship callit The Phœnix, accompaneit with the Moone, one of his maiesties pinages, a hoay, wherin the ordince wer, and a Scottis bark with wittallis. They cam to Aulderfleit, neir to Knokfergus, where they ankerit, and Sir Oliwer Lambert went to Knokfergus, where he stayit thrie or fowre dayis, attending sum timber neecesser for the ordince, and for shiping a hundereth and fyftie foldioris, who war appoyntit to gard the cannon.

On the thretin of December, at night, they weyghit anker, and did taik faill towards Illa.

On the fowrtein day, abowt two of the klok in the afternon, thei cam to ane anker in the fownd of Illa, at the Whit Foirland of Jwra. I expectit to have hard of the Livtenants being in Illa, attending the cuming of the cannon, bot for two dayis, I culd not have occasioun to meit with any to demand newes of.

On the fextein day, Donald Gygay, commander of the Ille of Jura, cam aboard where I was in the Phœnix, wha shew me that the liwtenant haid beine for the fpace of fowrtein dayis in two littill iyllis, neire to the castell of Dunywege, and that he haid retwrnit bot two dayis befor oure cuming. Likwayis, he shew me that the liwtenant remanit at Duntrown, prowying niwe wittallis, and wold be redie to retwrne to Illa, so soone

as he were adwerteifed of the cuming of his maiesties fhippis. I derec-
tit away a letter to the liwtenant, fhewing him of our cuming.

On the twentie two day of December, the liwtenant retwrnit me ane
anf fre, and wrot to Sir Oliwer Lambert, defyring him to hawe a littell
patience, and he fould be with him, with all poffibill diligence.

Sum of the men of Jura and of Illa, wha cam in to fpeik with me, re-
portit, that a litell befoire the lewtenants cuming towards Illa, thair cam
one, callit Grahame, to the caftell of Dunywege, wha fhew the rebelles
that he was derec tit be my Lord Chancler to receawe frome them the
pledgis and the hous, and for his warrant, he alledgit to hawe instruc-
tionis vnder my Lord Chancleris hand, for obedience wherof, the rebelles
haid randerit wp the pledgis and the caftell; and that this Grahame haid
maid Angus Oge conftable of the caftell.

Hawing not hard frome the liwtenant, how fare he haid proceidit with
the rebellis, I fhew Sir Oliwer Lambert of the report I haid hard, where-
by Sir Oliwer tuik occafoun to writ, and fummond the rebelles to rander
the hous. The copie of Sir Oliwer Lamberts letter, I hawe herewith
fend to your lordfhip, and the rebelles anfwer to Sir Oliwer.

Sir Oliwer being defyrous to wnderftand the ftrenth of the caftell, and
to hawe a wiew of thair alledgit warrant frome the chanclere, fent Cap-
tan Parkins to report to him the trew eftait of boith. The copie of Sir
Oliweris fecund letter, with the copie of Grahamis alledgit instructionis, I
hawe herewith fent to your lordfhip. Efter that I haid feine the copie
of Grahamis instructionis, I fhew Sir Oliwer Lambart, that, in my opin-
ioun, all that paff betwixt Grahamis and the rebelles was dewifit by Grahame
him felf, for releif of the pledgis.

What gryt chargis Grahamis dealing hes put his maieftie to, and what
gryt paynis his doingis hes bred to thos wha follovit his maiefties fer-
vice, I leive the report thair of to a better tyme.

On the fyft of Januar, the livtenant met with Sir Oliver Lambert, at the
Whit Foirland of Jura, being fowrtein or fyftein dayis afoir, ftayit by con-
trarie wynds, and wehement ftormes, fuch as Caaptane Buttone, caip-
tane of his maiefties fhip, calit the Phoenix, a worthie gentelman, na thing
inferior in knowledge of fea fearing matteris to any in his maiefties do-

miinons, afirnis that he newer indwrit the lyk, nor vas newer in a moir dangerous place.

On the fext of Januar, the livtenant landit in Illa, and immediatlíe thairefter fumond the countrie peopil, nixt agiscent, to geve thair compeirance, and to prowjd horffes for his maiesties Yrishe commanderis and fouldiouris.

Sir Oliver Lambert, at his meting with the livtenant, fílew him, that he behowit to have beivis for his fouldiouris, and that he haid not brought no mony with him, for witling of his foldiouris.

The liwtenant caufit prowjd thretie fyve beifis, weeklie, for his maiesties Yrishe forces, which thei haid dwlie gewin them. At the liwtenants first landing in Illa, he was bot two hundereth men. On the nixt day thairefter, thair cam to him fewin fcoir men. On the nynt of Januar, the liwtenant derectit Maister Donald Campbell and me, with aught fcoir men, to march befoir him to the castell of Dunywege, and if any of the rebelles wer on the feildes, to perfew them, the which we did.

The liwtenant hawing prowjdít horfe for his maiesties Yrishe companies, wha landit in Illa the nixt day efter the liwtenant landit in Illa, the liwtenant and thei marchit together, on the nynt of Januarj, to Portinellan.

On the tent of Januarij, the liwtenant, and the Yrishe companies, marchit to the Lagan, fum fowre myll frome the castell.

On the elevint of Januarj, they marchit to Baleneill, which is within a myll to the castell.

On the twelft of Januar, the liwtenant marchit with his awin companies to Balenachtan, which is within half a myll to the castell, wher Maister Donald Campbell and I haid remaynit two dayis befoir. His maiesties Yrishe forces stayit at Baleneill, in regaird thair was no lodging wher the liwtenant remaynit.

On the fyftein day of Januar, the hoay, with the rest of the shipis that attendit the fervice, faifing onlie his maiesties awin ship the Phœnix, cam to the Ill of Tixa, which is within a myll and ane half to Dunywege, wher, foir the fpace of too or thrie dayis, thei indwrit a mast wehement storme.

One the auchtein day of Januar, the pillats wha wer fent be Caipitan

Bwttone to wnderstand if thair was any faif ryding at the Iyll of Tixa for his maiesties ship, went back to him, and shew him thair opinioun of the rod.

On the twentie day of Januar, the liwtenant him self went in his gallay with a number of boitts, and onlodint the hoy, and the wther shipis, of the shoat, pouders, and timber, and such wther necessaris as belongit to the ordince, and all thair pickaxis, shoollis, watellis for the fogeris cabinis, and deall boordis, to build houffis for his maiesties Yrishe commanderis.

On the twentie ane, the liwtenants boatts attendit as thei did the day befor one, the twentie, and in the night foure of the rebellis stoll away owt of the castell of Dunywege, wha war receawit be the liwtenant, according to the tennor of his hienes proclamatioun.

On the xxi of Januar, Rannald MacJames, wha haid taikin in the Ille and Fort of Lochgwrme, did rander the fame to the liwtenant, and hes promiseit to do service against the rest of the rebelles; in regaird wherof, the liwtenant hes affwrit him and his son of his maiesties favore. Rannald Macforle, with Donill Baillie, Johne Macdonill Baillie, and Sorlle M'Alaister, with Donill Baillie, hes randerit them self, and promiseit to do service, conforme to the act of cowncell, for thair remissioun.

On the 22 day of Januar, the livtenant vent, and Sir Olipher Lambart, weiwing a place for landing of the ordinces, the whiche wes fund owt werrie happillie, although sum what vnder the dangir of the castell.

On the 18 day of Januar, the Phœnix, his maiesties ship, came to the Ille of Tixa, hawing indwrit, the Wedinfsday before, no les danger, by the extremite of the storme, than all hir worth; and having castin anker neir to the faid Ill of Tixa, sho indurit, for the space of thrie dayis, a most wehement storme; so that, if thair haid not bene a better rode fund owt by Caiptane Buttins painfull cair and diligence, than the rode of Illan Tixa is, of all necessitie his maiesties ship behowit to hawe bene difmissit. Bot he espyit a place, the Lodomes, where his maiesties ship lyis without any danger.

On the 23 day of Januar, Caiptan Button did man his awin boat, and ane vther ship boat, and causit the hoay be brought to the place apoyntit for landing of the cannon; the hoay hawing come wnder the shoat of the

castell, whiche of all necessitie sho behowit to do, the rebelles did tak thair adwantage, and powrit owt a great many shoate one the twa boats that wer a bringing in the hoay, bot no harme was done, praisit be God.

On the 25 day of Januar, the culwring and cannon were landit.

On the 27 day of Januar, the wther cannon was landit, where the livtenant and all his people did labour, as thei did the day befor, in bringing thame adhoare; and the same day, in the efternone, one of the cannons being adrawing frome the shoare towardes the place where the platforme was to be maid, thei brocht the cannon within shoat of the castell, whairof the rebelles, taiking thair adwantage, powrit owt a great many shoat amongst ws, where Caптane Crawfwrđ, a worthie gentelman, was shoat in the small of the lege, and within fyve or sex dayis efter, had his lege cut of be the knie; and within twa houris thairefter, he diet. Thair was likwayis, at the same tyme, one of the livtenants company was shoate in the bodie, and leift bot a few dayis. The wther cannon and culwring being brocht wp, and plantit neir to the platforme, all our companies being likwayis intrinchit in the moift commodious pairts round about the castell, so as thair was no hoip for the rebelles to eshape be land.

The platforme being finisheit, the ordinces were broight and placit, and one the first of February, in the morning, the cannons and culwring played; hawing shoate many shoates, the rebelles sent vp a boy with a lettir in a clofin flicke to the liwtenant, defyring him that he wold fend down sum of his freindis to parle with thame; he retwrnit thair berar, and defyrit to tell Angus, if he wold not cum to him where he ves, on promiseis of his faif retwrne, he should hawe none of his freindis to parle with him. The messenger went not sooner back to the rebelles, when thei sent him to the livtenant back agayn with ane wther letter, defyring him, that he wold cum and meit with Angus, in the midway betwixt the castell and where he campit, he retwrnit the messenger, and told him as he did before. All this tyme the cannon and culwring plaid, faif onlie fa long as the berrar was in his cuming and going. About sex of the klok at night, Angus wryt to the liwtenant ane wther lettir, defyring him, that he wold, in the nixt morning, the secund of February, fend to him Sir Thomas Philiphis and Archabald Campbell, and he him self wold cum

with them to the liutenant where he was. The liutenant adwyfit with Sir Olipher Lambart, what anfuer he should maik to him. It was thought expedient that thei should go and meit with him, and with all, the liutenant shew the messenger that he wold protract no tyme, bot the cannons should play still, faif onlie quhill Sir Thomas Philipis and Archabald Campbell ware in bringing of Angus to the liutenant: Be this tyme, the rebelles ware greatlie discouragit be the effect of the battrie that was the first day, and fearing that thei wold adventwre thame felfis to go away be sea, the luiftenant did strenthin his guard, which he kept on thame by sea the nights preceeding, and directit Maister Donald Campbell, with sum wther speciall gentlemen, to watch the rebelles by sea that night, and Caiptan Button, wha has beine a willing indeworrer of him felf, to forder the service, did all that night watche the rebelles in his longe boat.

The 2 of February, in the morning, efter manye shoats of the cannon and culvring, the luiftenant sent Sir Thomas Philips and my felf, to bring Angus to him as apoynted the day befoir, wha cam with Sir Thomas Philips to the luiftenant.

The luiftenant hawing demandit Angus of syndrie particularis in preface of Sir Oliwer Lambart, Sir Thomas Philips, and Caiptan Bwtton, Angus told the luiftenant, how he haid, at the desyre of my Lord Chanceler, randerit wp the pledgis and the castell to one callit Grahame, and that Grahame haid commandit him to keip the castell for the kyng. The luiftenant lett Angus wnderstand, by many good reassouns, that Grahame, as the luiftenant vnderstood, had no fuche power, no derection, and that he thought verrille that Grahame haid deceavit him.

At lenth Angus returnit back to his affociats, and promiseit presentlie to come him felf, and so many as wald fallow him, and rander them felf in his maiesties will. The luiftenant sent with Angus, two gentlemen, to conduct him back frome the castell. Angus na fooner cam to the castell, then he retrurnit the two that were sent with him, defyring them to shew the luiftenant, that, on no conditioun, wald he rander him felf. Than the ordince was plyed, which haid not shoat above fevin or eight shot, when Angus sent to the luiftenant, defyring ane wther parle. The luif-

tenant refuist to anfuer him, bot commandit me to affure him, that the luiftenant wold heir no moir of his delayis. Abowt fyve of the klok in the evening, Angus fent to me a meffenger, defyryng that I wold craue the luiftenants promeis, that the luiftenant [fould obtain their lives? *] at his maiefties handis; the whiche I fhew to the luiftenant, wha anfuerit me, that he wald mak no promeis to any of the rebells, nether wald he remember any privat quarrell of his awin againft Angus, bot fo for as his place wald command him. All this tyme the cannon and culwring played on the caftell, the meffenger being on his way to the caftell; and Angus, not abill to withftand the feage any longer, was cum furthe owt of the caftell, where all that were abowt might fie him; and in the midway, Angus being cuming to rander him felf, the meffenger met vith him, and told him as I hawe writtin.

Angus hawing cum to the luiftenant, betwix fyve and fex a klok at night, with fum wther of the principall of the rebellis, thei knilit all befor the liwtenant, in prefence of all that wes thaire, and told that thei wer cum, in all humilitie, to rander them felf in his maiefties will, withowt any conditioun. Likwayes, he told the luiftenant that fum of the rebelles, wha were in the caftell, haid defyrit him to ask if the luiftenant wald be pleafit to affuire them, that thair lyfis fould be faif wntill thei werre brought afoire the confell. The luiftenant fent me to Sir Oliwer Lambart, to let him know of this meffage. In the meane tyme, the luiftenant directit his boatts to ly watching the rebelles, if thei fould fteill away be fea, as he did ewerie night befoire. Bot the cuming in of Angus, almoft wnder clood of night, and the meffage he brought frome the ref of the rebelles, as, likwayis, Sir Oliwer Lambert hawing affuirit the luiftenant, fo fhone as it were dark, he wold fend his companyis to lodge wnder the wallis of the caftell, the which, whill I was my felf with Sir Oliwer Lambart, fhewing him the meffage that Angus had brought frome the ref of the rebellis, Sir Oliwer was prowying his companyes to go to the caftell, and stayed onlie to let thame hawe a littell meatt, for thei haid laborit werie hard all the day befor,—thos that werre attending the boattis, knowing of all this, it maid fum of them the moire neglegent,

* Something has evidently been omitted here.

hoiping that thei should hawe littell or no thing ado. I haid no sooner taikin leave of Sir Oliwer Lambert, being on my way towardes the liutenant, when the rebellis, w^hit owt in a boat, whiche thei haid fittit for the purpos. Sum of the luiftenants men, that watchit for them by sea, did give them a woillie of shoat, and lenchit owt thair boatis and followed them, which the rebellis an^suerit with thair shoate; so as the luiftenant, Sir Oliwer Lambert, and all that war one the shoare, might sie the luiftenants boattis and the rebellis boate gif fyre to w^here a longe tyme: A rock likwayis neire to the castell, wherone thair was plantit a number of muskiteris, did gewe the rebellis, at thair w^hing owt, a woillie of shoat. The rebellis boate, being moire swift then the boats that werre apoyntit to watche them that night, did ower rowe them; and the rebellis boatte being sum what on thight, althoghe werie swift, thei were forcit to drawe to the narrest shoire thei culd cum att, and landit in the Oe of Illa, where thair boate wes fuink. The luiftenant sent presentlie efter thame, in ewerie corner of the cuntrie, and caufit brek all the boattis of the Ille, so as thei can not eshaipe.

One the 3 of February, the luiftenant did hold ane justice cowrt, where thaire w^{er}e, of the rebellis that war taikin in the castell of Dw^ywege, fowrtene hengt. Angus Oge him self, and Alaster M^cKarlie, one of the ringlederis, and two messengeris, that ar privie to all the rebellis proceedingis, ar to be sent to the counsell, thair to be examinⁱt. I wnderstand by Angus that he hes not beine the first dewyffer of this treassoun. I leave to wryt any moire of this wntill a better tyme. Thair ar sex wha war aprehendit in the Ille and fort of Lochgwrme, to be execut one the sext of February. Thair ware sex of the rebellis that went owt of the castell, one the boat aprehendit and execut. Thair is onlie, at the writing hei^rof, foure of the name of Clandonald as yet onaprehendit. Thair ar nyne or tenn of w^her clannis, wha war thair affociats, as yet onaprehendit: Thei ar seprat, and the foure M^cDonaldis ar be them selfs; and the rest of the w^her clanns ar ewerie ane be them selfis. Sence my cuming heir, I fand owt a number of images, whiche I hawe cauffit be bruntt. The religioun that the cuntrie pepill hes heir amongst them is Popishe, for thair is newer a minister in the wholle Ille, except wan poore

man, that the biſhop did leave heir. I wnderſtand, be the luiſtenant, that he hes iuſt caus to complein of thoſe wha war commandit to aſſiſt him be the proclamatioun.

Dwring the ſerwice, thair is nether boat nor bark come frome Scotland with any furniſhing, nochtwithſtanding of all drectionis that the counſell gave for the fame.

This is the trewe accompt of all that hes as yet proceidit in his maieſties ſerwice.

AR. CAMPBELL.

CCCXLIX.—SIR OLIVER LAMBERT'S LETTER TO THE REBELS.

THAT his maieſtie ſhould drect his forces, his cannons, and his prowiffioun, at this tyme of the yeir, and put himſelf at ſo grypt a charge, wnto a place that is alredie in his ſubiection, can not but be much doubtit by me; and being loth to ſpend any longer tyme in this, if that ye wryt be trew, I fend this my ſerwant, both to reid your warrant, and to bring me a trew coppie thair of, wnder your hand, which I expect preſentlie, and the faif retwrne of this berar. Frome the Whit Forland, the 16 of December.

Indorſed :

“ The copie of Sir Oliwer Lambertis ſecund letter to the Rebellis.”

CCCL.—COPY OF GRAHAMES ALLEDGED INSTRUCTIONS.

God Sawe the King.

MEMORANDUM OF THE CHANCELERIS DIRECTION TO BE OBEYIT.

FIRST,

To ſpeir at the caiptanes of Duniwege, whome thei hawe to warrand them frome the forces of the kyng of Britanes power and all

thes nationes, wha ar chargit, not only to tak the castell, bot to apprehend them whiter thei go.

Secundlie, To defyr the faid caiptanes, in the counfellis name and myn, to rander yow the prifoneris and hous; and yff thei be loth to twin with the hous, that yow mak ane of thair awin chosing, caiptane, till the kyngs will and counfell come till them. This, if thei do withowt any ferimonies, I promise yow be word, that the counfell and I fall work at the kyngs hand, to forder any thing refonabill thei wald, and fall fend yow, or any wther, to court for that effect.

Thridlie, If the faid caiptanes, or any of thair freindis, hes any petitions to the king or counfell for _____, let them fend the same with yow, and ye fall have ane answer back agane tharof shortlie, and the counfell fall do for them thairin.

Fowrtlie, If thei hawe done any misforder, that thei wald hawe remission, or suspentioun, or relaxatioun, bring with yow the informatioun, and thei salbe grantit, swa that thei obey yow in owr name, quhilk we ar assurit thei will.

Fyftlie, Let thame knaw quhat gryt expenffis the kyng was dryvin to be the feige of Kirkway, quhat gryt anger he conceawit for the same, and how mercieles all was execut; and if thei hald fwrthe till thei be bot chargit with the Lyoune, no remeid is for thame, and all the kinred in Scotland; and if thair kin in Iyrland gif thame bot cowntenence, thei salbe wterlie wrackit.

Sextlie, If thei obey ws in your persoune, we fall not onlie labour at his maiesties handis for thair pardoune, bot for thair possesseiounis at the kingis hand, swa that thei pay for the same, as salbe modifiet, and fynd catioune for the same.

Sewintlie, If ye will bid my self be catioun for them, wnder siche con-

ditionis, as I hawe shawin yow, I will not fail to do the same, and will labor for them all that I may. Sa, wishing yow a hapie journey. 17 November.

This is the trew copie of the chancleris warrand, receawit frome George Grahame, that day I delywerit possessioun of this castell to thame, in the kyngis behalf. Witnes of our handis, the 17 of December 1615.

ANGUS OGE MACDONALD.
COLL MACGILESPIK.

Indorfed :

“ The Copie of Grahams aledgit
Instructionis.”

ADDITIONAL LETTERS.

ADDITIONAL LETTERS.

CCCLI.—LETTER, MR THOMAS HAMILTON, LORD ADVOCATE, TO THE
LORD SECRETARY.*

My lord, conforme to your lordships letter, I haue gevin to Mr Adame, your lordships anfuer to the questionis, with Johne Knoxis appellation, fa fone as Maifter Peter cummis to this towne, I fall get the Frenche discipline fra him and delyuer it to Mr Adam. As to your warrands for the bukes of the presbiteries and feffion of St Androis, and of the feffion of Pittenweme, thay will be grantit; bot gif thay requyre fecrecie, I wald your lordship cauffit wryte thame with ane vnknawn hand, and fend thame to me, and thereafter I fall caufs fubfcryve thame, and fend thame bak to your lordship; alwayes your lordship hes to confider gif it be expedient to kyth in over mony of thefe turnis whill the kirk of Edinburgh be provydit, whairin it is brutit that our auld paf-touris hes ane refpect to thair returning hame agane, and the king pro-feffis planelie as he utterit it in the affemblye, that he will haue it vther-

* From the Balcarres Papers.

wayes. It fervis me to wairne 3owr lordship, for whan this is said I fall do what 3owr lordship resolves to be best.

I have fend to the Clerk of Register for the sicht of the auld commiffion anent the visitation and reformation of the Vniuerfitie of St Androis. I hope to get it with sik diligence as he vſis in extracting of all ſic maters, and it fall not therefter mowle in my poutche, but fall be fend to 3owr lordship with haift. I vnderſtand that his maieſtie meanis that Maifter David Blak fall be transplantit; bot as to Maifter Robert Wallace, it appeiris be that his maieſties ſelf hes ſaid to me, that the bill is fowlit, and aggreit, for efter that his maieſtie had handlit him verie ſchairp- lie in oppen aſſembly, baith vpone Satterday and Mononday left. Vpone Mononday, at evin, Maifter Robert came to his maieſties chalmer at ellevin houres at evin, grantand his great overſicht, and declairand the ſame to have proceidit of the weſtland wayage whilk he maid with Maifter Robert Bruce at the triumphant visitationis of the kirkis of that cuntry, with thair mouſtouris and wapinſchawings, and vpone ane vniuerfall concluſion had amongis the maiſt zealous breathren to ſtryve *a qui mieux mieux* ſould invey againis the papift lordis and his hienes counſellouris whom the breathren ſuſpectit to be the inbringeris and menteaneris of thaime in this cuntry. In end he promeſit that heirefter whan he hard any ſik reportis of his hienes or counſall, he ſould wryte to the kings miniſters thairanent, and conforme to the tryell and anſuer, ſould proceid, and na vtherwayes: Whilk condicion ſeymis to be acceptit, with proteſtation that his maieſtie ſould nocht mak him the war for ony thing he had ſecretly diſcouerit to him. Patrik Murray cauſit his maieſtie command me to forme his Inſtructions anent his proceidings in his Northland journey; I anſwerit I ſould fend thame to 3owr lordship not for my awn ſweirnes, bot that 3owr lordship ſould not be miſknawn in 3owr office, nor weir owt of employment in 3owr office. Gif I reſſaue the minute of thame, I fall ſie ane boy and haift thame to 3owr lordship. Tak ordour be 3owr letter to William Mauld, that gif any ſik occaſion fall furth hereafter, he may fend 3owr lordship bearars. 3owr freinds heir ar all weill and better nor 3owr ſelf.

It appeiris be my Lord Eglifchamis returning from Beruik, that ane fleand man will fecht agane, whilk appeirs alfo be owre brethir, the paf-tours of this towne. We ar now buſie to fatiffie the Inglis ambaffadour, and pay him in vther money nor be the delyuerie of oure wairdanis, whilk all men is ſtokkit to refuſe. Swa, having no farder occaſion at this preſent, committis zowr lordſhip with my gude lady (to whome I wiſh lang lyfe with continuance of hir gude mynd) to the proteſtion of God. At Edin-burgh, this 21 May 1597.

Zowr Lordſhips affurit to be commandit,

MR TH. HAMILTON.

Postſcript.

Gif my letters be heirefter confuſit and ſpurrit, I hope zowr lordſhip will impute it to his maieſties preſence, and the ſeſſion fitting.

I haue reſſaut this nicht at evin from Patrik Murray, the copie of the articles ſet downe be the aſſembly, as Inſtructions to the Commiſſionaris appoyntit for reſolving and abſolving of the erles. I beleve zowr lordſhip will not think it neceſſar to mak ony farder mentioun thair of in Patrikis Inſtructions, bot generallie to direct him to concur with the Commiſſionaris of the kirk to moue the erlis to fatiffie and obey thair articles.

Zowr lordſhip will likways reſſaue the copie of the band ze formit to be ſubſcryvit be the Erle of Huntly and his cautionars. It is neidfull that it be renewit, and ſamekill thair of retranchit as is alreddie performit, omitting his removing furth of the cuntrey, his behaviour, incais of his removing, his keeping of wairde, and ſik vther articles as ar all tane away be his ſatiffaſtioun of the kirk. Alwayes zowr lordſhip having conſiderit

the kings articles minutit be Maister Hercules, and the copie of the kirkis articles, 3owr lordship will consider how mekill will be expedient to be insert in the band aither generallie or particularlie.

The kings articles ar pennit be Maister Hercules, onlie to serve for information : he begins in the third person to speik of the king, albeit the Instructions proceeds of the king. 3owr lordship will keip the substance and correct the formalitie. In the article concerning the reconciliation of the feidis and grudgis, it seymis gude 3owr lordship direct Patrick to be principall Commiffionar for his maiestie, and he to inform the ministers nominat be his maiestie in the last assemblie to concur with Patrik according to the information to be gevin to the ministers be him of the kingis mynd thairanent.

Reffaue the commiffion for visitation of Collegis in anno 1578. The Clerk of Register says 3e haue alreddie ane commiffioun laitlie grantit to 3owr self.

Efter advyement, gif 3owr lordship will collect ane forme furth of baith the formes, with sik additions anent your inquisition, creatioun of 3owr procutour fiscall, and siclyk heads, and send it over to me, it fall be past with 3owr vther warrands.

I pray 3owr lordship send bak Patrik Murrayis Instructionis als sone as they may be reddie. *Iterum atque iterum vale.*

To my verie gude lord, my Lord
Secretare.

Indorsed,

“ My Lord Aduocat, anent the Erle of
Huntlies directions, Ministers, &c. Martij
21, 1597.”

CCCLII.—INSTRUCTIONIS GEVIN BE HIS MAIESTIE TO PATRIK MURRAY, GENTELMAN OF HIS HIENES CHALMER, TO BE DONE AND PERFORMET BE HIM IN THE NORTH PAIRTIS OF THIS REALME, QUHAR HIS MAIESTIE HES PRESENTLIE DIRECTIT HIM, FOR ACCOMPLISHING OF THE SERUVICES VNDERWRITTEN.*

1. INPRIMIS, forfameikill as the generall affemblie of this realme, hes grántit commissiōne to certane minifteris to absolue the Erllis of Huntlie, Anguis, and Erroll, fra the sentence of excommunicatioun, the faidis Erllis first fulfilland certane conditionis, inioynet to them be the faid affemblei; quhilkis conditionis being maist reasonablie, tending alutterlie to the glorie of God, and to the auancement of the trew religiōne, quharby ve of our princie dewtie, hes maist speciall entres to fei the famin accomplisset: Thairfoir ze in ovr name fall be present with the faidis Commisionaris of the Generall Affemblie, at the dayis and places appoyntit, to the effect ze may fei, and report again to vs sufficient documents anent the actuell fulfilling of the faidis conditionis in ewrie head and article therof, according as thay ar fet downe in the faid act of the Generall Affemblie.

2. Secundlie, ze fall present to ewrie ane of the faidis thrie erllis, the coppie of the generall band, and requyre them in our name to subscryue the sam, and to find sufficient cautioneris for ther obedience to vs, and for ther keiping of our pace and guid ordoure in the cuntrie be them selfis, ther kin, freindis, seruandis, and tenentis, &c. conforme to the faid generall band in all poyntis, ilk ane of the faidis erllis, vnder the paine of tuentie thousand pund, as dyuers vtheris of our nobilitie of ther ranke, and vtheris cheifis of klanis hes done of befoir; for the quhilk effect ze fall refaue letters directit be vs, and the Lordis of our Secret Counsell, to chairg the faidis erllis, and eurie ane of them, to subscryue the faid generall band, and to find sufficient caution for obseruing therof; quhilk band and obligatiōne, sua subscryuett be them and ther cautioneris, ze fall

* From the Balcarres Papers.

report againe to vs, to be registerit in the buikis of our Secreit Counfall: And gif ther be ony dowt, that ony of the said cautioneris is not responible, 3e fall aduerteis vs, and our counfall therof, that 3e may know our aduyce therin.

3. Thridlie, in respect of the sklander be my Ladie Huntlies plaine professiōe of papistrei, 3e fall in our name, baith requyre himself that scho vill suffer hir self to be instructit in the trew religiōe, and to cum to the opine professiōe therof; as also, 3e fall requyr my lord hir husband to daill with hir earnestlie heirannent, that his lordship's hous may be klengeitt of all sklandrus suspiciōe of papistrie.

4. Fourtliē, forsameikle as be the following of ewill counfall, dyuers trubbilis hes aryfs in that cuntrei; quhairin the said Erle of Huntlie is in the place of ane shireff and magistrat vnder vs, quhairby he hes maistmister of guid counsell for auancement of our seruice, and keiping of guid ordour in the cuntrie; quhairfoir 3e fall schaw to the said erle that it is our vill to appoynt to him, ane counsell of barronis of the best affectit, and maist zelus in relligiōe, with sum godlie ministeris to be adioynit with them, quhois aduyce the said erle fall subget himself, to follow in all vechtie affairis of the cuntrie, and concerning our publict seruice, according to the particular names of the saidis barronis and ministeris, quhairof ve haue gevin 3ou ane feuerall tikett subscryuet with our hand.

5. Fyftlie, for sameikle as our seruice is grytumlie henderit be the deadlie feadis among our subietts, for reconseiling quhairof ve sett downe ane generall ordour, to be followet out in all the pairtis of our realme, quhilk as zit hes tane na effect in the said north pairtis, be reasone of the trubilis, albeit praiset be God with our grypt paines and trauelis, the said ordour hes produceit ane reasonable quyetnes, in all the remanent pairtis of our realme. Thairfoir 3e in our name, as hawing our speciall power and commissiōe to that effect, fall earnestlie deall to tak vp all the saidis feadis, betwix quhatsumewer our subgetis in the said north pairtis; in the quhilk

commiffione ve haue affociat vith zow, Mr Dawid Cuninghame, Bifchop of Aberdeine, Mr Peiter Blakburne, Mr Robert Howie, Mr Johne Forbes, Mr Johne Strawquhan, Mr George Hay, minifteris, and Mr Daudid Reat, principall of the college, quhom ve haue commandit be thir presentis, to affist zow be ther trauelis and mediation in the faid guid vark, for appoynting and reconfeiling of the feadis betuix my Lord Huntlie and my Lord Forbes, the Laird of Drum, and yung Frindrach, and betuix the Erle of Erroll and the Laird of Ludquharne; betuix the Lairdis of Geicht and Benholme; betuix the Lairdis of Clunnie and Korfindaie; betuix the Laird of Boquhen and Villiam Stewart, and fik vther feadis quhairof ze fall refeauie information in the cuntrie. And for the better accomplifing of the premis, ze fall refaue and caws execut letteris, directit be vs and the Lordis of our Secreit Counfall, to chairge all the faidis perfonis to fubfcriue affurancis, ilk ane to vther, in the commowne forme, the faidis affurancis to induir and left quhill the first day of Apryll nixt to cum.

CCCLIII.—THE REPORT OF THE MINISTERIS QUHA WER APPOINTIT TO
INTREIT WITH THE ERLE OF HUNTIE.*

WE, the minifteris of Angus, Mernis, Aberdene, and Murray, appoyntit commiffioneris be the laft generall affemblie haldin at Perth for tryall of the Erle of Huntlyes obedience to the particular iniunctiouns fet down be the fayd Affemblie, and imponit to his lordship, for declaratioun of his repentance for the offences committit be him, as thay ar mentionat in the faydis directiouns, testifie and declair that we haue fund him obedient and willing to fatiffie in all humbill manner to continew and perfeueir in his earneft fuit for reconciliatioun of the kirk, and eftir lang conference and ryip aduyifement to haue consentit to the fulfilling of the faydis hail conditionis, quhairof the particulair anfueris followis.

* From the Balcarres Papers.

1. The first is obeyit, for his lordship compeirit at Aberdene the xxij of Marche appoyntit, and thair abaid awaiting doctrine and conference to the haill commissiouneris appoyntit were satisfieit with his resolutioun.

2. The brethren appoyntit to deall with him brocht his lordship, eftir reffoning ane conuenient space, to allow all the weritie in the hail groundis of resolutioun affirmatiue resolut his doutis be the word of God, and mowit his lordship with knowlege to refuis and deteist all heidis of papistrie contrair to the fame.

3. He acknowleges the reformat kirk of Scotland to be the trew kirk; he is content to declair his coniunctioun to the kirk of Scotland, in the worde, sacramentis, and discipline, as they ar authorized be his maiestie and estaitis presentlie in sik manner as the kirk fall think maist expedient.

4. He is reddie to fueir and subscrywe the confessioun of faith in presence of the haill commissiouneris, fa sone as thay fall cum abak with power to pronounce his absolutioun.

5. In significatioun of his obedience to this article, he hes declairit to the haill commissiouneris, that sen he enterit in dealling with the kirk he neur intercommonit, be word or writ, with ony Jesuit preist or excommunicat papist, except fa mony as ar vnder conference with the kirk, and is content to byid therat in all tymes cumming, siclyk he fall baneis out of his cumpanie and haill boundis in the quhilkis nane fall have resait that ar professit enemies to the religioun be his knowlege, and fall giue his writtin band as the article prescriewis, except fa mony excommunicat papistis as the kirk fall guve licence to deall with.

6. He is content now or heirafter to satisfie for his apostasie in the place appoyntit at the discretioun of the saydis commissiouneris.

7. He declairit his wnfeinzeit greiff for committing of the slauchter of the erle of Murray, and will satisfie the pairtie be the fycht of the kingis maiestie, of the kirk, or of godlie and indifferent freindis: will mak offeris to that effect, lyik as he hes gevin ane blank to his maiestie to be filled vp with particulair assythment.

8. He promisis now or heirafter to craue of God mercy for the said slauchter, quhen, quhair, and how, the kirkes commissiouneris foirfaydis fall appoynt.

9. At the defyr of the faydis commiffioneris he presentlie remittis all rancour and malice confaut be him for any occafion or deid offerit to him be the cuntrey men in the kingis feruice, and promittis vpon his fidelitie newir to quarrell ony for the fame within thefe boundis, and speciallie none of the miniftrie, ether north or fouth.

10. He aggreis that thir prefent commiffioneris, or fa many of the hail thre prouinces as fall be meitteft for the wark, with the lairdis of Pitlurg, Clunie, * fall fet downe ane ordour for prouifion of his kirkis, quhilk he promifes to execute immediatelie eftir his abfolucioun.

11. Be the aduyce of the faydis commiffioneris he promittis to tak ane minifter, and to entertein him in his awin houle.

12. He confeffis that be his publiet offences he gawe fufficient matter to the kirk to haue deducit the fentence of excommunicatioun againis him.

[*Indorfed*]

“ Copie of the Articles fubfcriyveit be
the Erle of Huntlie, 1596.”

CCCLIV.—LORD BINNING TO THE KING.†

MOST SACRED SOUERANE,

What wes proceeded in the Nationall Counfall kept be your maiesties permiffion the laft oulk in this towne was fignified be my letters of the 18, no mater of moment then refing to be concluded, bot the Marqueis of Huntlies abfolucion, who cumming to this towne vpon Tyfday at night as wes appoynted, yefterday the two Archibifchoppis, the Bifhop of Brechin, your maiesties deputie thefaurar, the laird of Cors, and I, went to the Marqueis his ludgeing, and eftir two or thrie houres conference, agried vpon the maner of his abfolucion; and meiting in the afternone in publiet affembly, that mater being proponed and modeftlie rea-

* Sic in MS.

† This letter, and the remaining ones, are from papers relative to Church affairs, MS.

soned be sum of the precifest fort, the Archibifchop of Santandrois replied fo wyfelie, and made fo tymelie vfe of sum claufes of your maiesties letter from Nottinghame, which be gude fortune came to his handis that fame day, that in end the abfolution wes concluded, and the marqueis compeirand, and granting his bypast offence, promeifing constant perfeuerance in the trew religion, which he thair acknowledged, and fubfcryved publiklie the articles thair of, exhibited to him in prefence of all the affembly, he wes abfolued, to the exceiding great joy of all that wer present. This is one of the workis of your maiesties moft excellent wifdome, whairfra all men expect gude helpis, to the peace of the eftate and church of this kingdome. All your maiesties vther direCTIONS, being moft iust, reasonable, and proffitable for the cuntrie, wer allowed with fuch humilitie, haitineffe, thankefgeving and prayer to God for your maiesties preferuation, and long and happie raigne, as your maiesties caire of the vniuerfall good of the kingdome does obleis all faithfull fubieCtis fincerelie to wifh. Many haue approuen thamefelues duetiful in this feruice; bot I owe particular testimonie to the Erle of Montrois his affectioun, and to his graue and honorable behaiour; and to the Archibifchop of Santandrois his modestie, pacience, wifdome, and trauellis, whairby he fo conteaned the whole number within the boundis of duetie and obedience, as did greatlie facilitat the good fucceffe of the buffines. So, wifhing the lyke in all your maiesties intentions and direCTIONS, and that God may be gratiouflic pleased long to bliffe ws with the continuance of your wyfe, iuste and gracious raigne, I rest

Your most sacred Maiesties most humblie,
faithfull, and bund feruand,

Aberdene, 22 Aug. [1616?]

BINNING.

CCCLV.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I thought no meane so fit to mak your maiesties gude pleasour and expres command to your counfall and principall officers to hald hand to the approbation of the approcheing Generall Assemblie of these articles proponed to your maiestie, being in this cuntrie in churche maters knowne to the counfall as be publict reading of your maiesties letter in counfall, which thay all acknouledged so wyfe and iust, as thay with hairtie consent all promiseid to aduance it to thair vttermoſt, and not onlie to withdraw thair fauour and countenance from any who ſould oppoſe thame ſelfis, bot alſo to concur with the prelates in the puniſhment of ſuch as thay ſould find wourthie of cenſure, which I am perſuaded thay will due-ly performe.

Vpon the firſt of this moneth we conuened, to giue beginning to the commiſſion for plantation of the churches; bot the moſt part of the commiſſionaris being abſent, we wer forced to continow the dyet to the ſe-
vint, and directed ſummar charges of horning agains theſe who wer abſent, and not lawfullie excuſed; bot thay ar ſince cum to this towne in ſufficient number to keip the day appoynted, and as thay ſhall proceed, your maieſtie ſhall be aduerteiſed.

The commiſſionaris of the rentis haue had before thame the vnder reſ-
ſauers of the cuſtomes at the ſeueral portis of this kingdome, and haue appoynted thame to vplift the cuſtomes to your maieſties uſe, intending to mak ſeueral takkis thair of, if thay ſhall heirefter find reſponſall pairties who will offer profittable condicions for thame to your maieſtie; and be-
caus none can be tryed to mak any gude offer for the impoſt, thay ar in hope to get thame ſo exactlie vplifted, as your maieſtie ſhall haue the full commoditie thair of, with leſſe loſſe this year, nor if thay ſould haue yeild-
ed to ane tak, with diminution of your maieſties accuſtomed rental thair of.

The bourrowes have sent their commissioners to this towne to consult vpon the motion of transport of our native commodities in cuntrie bot-tomes, with prohibition to strangers so long as thair is any of oure owne schippis to ferue: thay ar to exhibit thair ouuertures thairanent the next oulk, which fall be sent to your maiestie with diligence.

The Generall Assemblies is proclaimed to be kept at Santandrois the 25 of this moneth, whairin wishing your maiestie contentment, and per-fyte happines in all your vther royall disseins and affaires, I rest

Your most sacred Maiesties most humble,
faithfull, and bund seruant,

BINNING.

Edinburgh, 7 Nouember [1617?]

To the Kingis most sacred Maiestie.

CCCLVI.—LETTER, LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

My former letters told that the Archibischop of Santandrois, his going to Fyffe, for preparation of the Generall Assembly, had discontinued oure proceeding in the commission for plantation of churches, whill the first of December; beydes the appeirance that the Session would be interrupted during the Assembly, in respect of that number of ordinar sessionars, which is appoynted to assist your maiesties commissioner at that meeting.

The counfall, obeying your maiesties direction, wrait fyftene dayes ago to all these of your Counfall or Session, whom your maiestie ordered to be at the assembly; and in particular to the erle of Montrois, designed Commissioner be your maiestie, to keip the prefixed tyme.

This day my lord Chancelar reffaued ane letter from him, bearing, that, albeit he be moft willing to ferue your maieftie in all that can be inioyned to him, yet his indisposition is fo great as he can not be able to trauell, nor ferue at this tyme in that chairge; which, being communicat be my lord Chancelar to the Erle of Mar, and fum vthers of your maiefties counsell, we presentlie wrait to him earniftlie defyring that, all excufes fet afyde, he fould accept and difchairge that commiffion, which your maieftie had trusted to him; and with the lyke diligence, wrait to my lord of Santandrois of the Erle of Montrois his excufe, and of oure defyre to know his opinion, what was fitteft to be done for your maiefties fatiffaction, and performance of your maiefties intentions, whoes fpeidie anfuer we expect; and what fall be refolued and done heirintill fall with all convenient celeritie be fignified to your maieftie. So, prayeing God long to prosper and preferue your maieftie in all wifhed contentment, I reft

Your moft facred Maiefties moft humble, faithfull,
and bund fubiect and feruant,

BINNING.

Edinburgh, 20 of Nouember, at night, [1617?]

To the Kingis moft facred Maieftie.

CCCLVII.—LETTER, LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

In the affembly now diffolued, nothing wes proponed bot the articles sent be your maieftie. Ane great pairt of the minifters wer fo wilfullie inclyned to haue the haille differred at this tyme, to the effect thay might haue laifer and opportunitie, be reiding the fathers and coun-

fals, to resoluē, if with gude conscience, and without scandall of incon-
stancie to the kirk and thame selfis, thay might yeild to the alterations and
nouelties which thay imagined the articles to imply, that it wes verie
difficill to my lordis of Santandrois, Glasgo, and remanent bishops, as-
sisted be the wyfist and learnedest of the ministrie and your maiesties
commiffioners, to induce the disordered multitude and thair leiders, to
determine vpon any particular, and so being driven to the extremitie
aither to dissolue the assemblie without any maner of progres, and with
manifest diffension, or to mak vse of the best expedient the tyme could
produce in the determination of sum of the articles, all the best affected
to your maiesties seruice thocht it expedient to accept what wisdome and
authoritie could gayne at this tyme, and leive the rest vnder hope and
promeis of satisfactiō at the next assemblie; and so the article of geuing
the communion to the impotent and dangerouſlie seik in thair privat
houſes, and deliuerie of the elements owt of the ministers handis to the
people at the publict celebration, being obtained in such maner as the
formed articles to be sent to your maiestie, be my lord of Santandrois
beares. • When the article of the holie dayes wes of new vrged, the de-
syre of delay wes so vniuerſall in that and the rest of the propositions,
that the bishops wer forced, for feare of ane direct refusall, to yeild to
the continuation, vpon promeis maid be the most part of the pretended
precisians, that thay wald vse all possible endeours to prepaire thame selfis,
with consent of thair well informed flokis, to giue your maiestie satisfac-
tion at the nixt assemblie. My lord of Santandrois' feare of your
maiesties offence be delay of your so iust and godlie desynes, maid him so
passionatlie instant, as he could scairelie be induced be any persuation to
accept any dowtfull or delatorie ansuer, and moued him to threaten
thame with your maiesties resolution to ordane be actis and penall pro-
clamations aganis the contravenars, to haue all these articles vndelayed-
lie obeyed, schawing to thame how disgracefull it wald be to the Kirk of
Scotland, in the iugement of all the reformed churches in Europe,
that our ignorant and obstinat refusall of so godlie and laufull propo-
sitions, sould force your maiestie, be your Christian authoritie, to compell
thame to do that which thair duetie sould haue moued thame to embrace,

with thankfull acknowledgement of your maiesties caire to haue the abuses of oure church discipline reformed, and rightlie conformed to the vniuersall order of all the rest of the true Christian Churches in Europe ; bot the rest thinking the delay, with assured hope of satisfiacion, les hurtfull nor ane abrupt and contradictorie dissolution, which we all most humbly wish that your maiestie may graciously allow, since we are confidentlie perswaded that the next meeting shall giue your maiestie contentment, specially if your maiestie grace the next assemblie with commissioners of greater sufficiency and authority; albeit I may affirme and hope the bishops will testify that these who were at this tyme employed wanted no good will to giue their best concurrence. So, wishing to your maiestie manye happy yeeres, that we may enjoy the constant frutes of your most prudent and gracious regne, I rest

Your most sacred Maiesties most humble, faithfull,
and obedient subiect and seruant,

BINNING.

Santandrois, 28th Nouemb.
at night [1617?]

CCCLVIII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

This day certification is granted be the counsell aganis the Erle of Argyle, and he ordained to be denounced and reputed as ane traitour for not compeirance.

The commissioners for the burrowes and schipmaisters haue bene before the counsell, and their controuersie, for exportation and importation of merchandice in cuntrye bottomes, is to be determined before they go from this towne.

I signified to the counsell your maiesties pleafour anent their repairing to fermon vpon the Soundayes, to your maiesties chapell of Halyrudhows, which they ar willing to do, and wald haue done alreddie, if the Bifchop of Gallowayes heaue feiknes had not hindered him to preache this tyme bygane. He promeifis to aduerteis the counsell when his recouerie fall inable him to preache, and they to refort to it as your maiestie hes commanded.

All other direCTIONS signified be me to the counsell be your maiesties commandement ar obeyed. So, prayeing God to eftablifh the perfyte happines of your faithfull fubiectis heir, be the wifhed lenth and number of your maiesties moft prosperous yeires, in health and contentment, I reft

Your moft facred Maiesties moft humble, faithfull,
- and obleiffed fubiect and feruant,

BINNING.

Edinburgh, 4th Feb. [1618?]

To the Kingis moft facred Maiestie.

CCCLIX.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

At oure cumming to this towne, finding that the moft precife and wilfull Puritanes wer chofin commiffionars be manie of the prefbyteries, fpeciallie of Lowthian and Fyfe, I wes extreamlie doubtfull of the fucces of your majesties religious and iuft defires. At the privat meiting of your maiesties commiffionars and the bifchops, my Lord of Santandrois denied not the apparent difficultie, bot declaired that, being hopefull, that the happines which alwayes accompanied the iustice of your royall diffeins

wald not faile in this action, he thought the victorie wold be more perfyèt, and the obedience more hairtie, when the Puritanes fould fie the articles concluded in the prefence of thair greateft patrons, thair opinions being confuted be liuelie reafons and vndeniable trueth.

The fermon before the Affembly wes maid be the Bifchop of Aberden, who, with great dexteritie, proponed the weght of the pourpofes to be entreated, and the neceffitie of confideration, that the bodie of the Church being affembled be your royall direktion for treating of articles proponed be your maieftie, firft to ane number of the principall minifters at Santandrois, and thairefter in the Affembly at Santandrois, your maieftie had confaued great offence for the delays then vfed; and being perfuaded in your excellent wifdome and confcience, that the articles wer juft and godlie, and onlie fchifted becaus thay wer proponed be your maieftie, be fuch as had gloried to be oppofite to your facred defires, it wes to be feared, if, at this tyme, your maieftie fould not refflaue fatiffaction, your wraith might be fo kindled, as the Church, loufing your wounted fatherlie fauour, thay might feill the heaue preiudice of that confequence. And thairfore exhorted thame, in humilitie, zeale, and Chriftian loue, to difpofe thamefelues to proceid wifelie, and with all due refpect to your maieftie.

At the meiting of the Affembly, the Archibifhop of Santandrois made the exhortation, and be ane moft godlie and wife difcours, remembred the auditouris of your maiefties infinit benefites to the Church, your wifdome in thair direktion for the keiping of puritie, and fuppreffing poperie; your patrocinie of the good, mercie to offenders of thair profeffion, caire for prouifion of mentenance to pafours, and learning and zeale in defence of the true Religion be your moft famous workes publifhed aganis the aduerfars, which had incensed the Papifts to think your maieftie the onlie lat of thair prevailing; and for that onlie querrel, to feik, by treacherous meanes, the trouble of your eftate, and deftruktion of your facred perfon: and the true profeffours throw all Europe to honour your maieftie as the protektour of all the Reformed Churches, and to acknowledge your maieftie the vmpire, and moft competent and beft qualified iuge of all controuerfies arrifing amongis thame. Exhorting,

thairfore, eurie one to consider and acknowledge how justlie thay wer bund to expresse thair loyall respect and true obedience to your maiestie, by yeilding to your laifull desires in the articles proponed.

The exhortation ended, he called the commissiounars, and nominated these for the conference. Sum proponed that ane moderator might be chosin, whom he silenced, becaus he wald not suffer the privilege of his place to be questioned: And thairefter rehearsing what had been done in the Assemblie at Santandrois, and wittellie taking it *pro confesso* that all the articles wer in substance allowed thair, except that of kneeling at the communion, proponed that to be disputed. Great instance wes maid, that, the mater being of so heigh consequence, might be entreated in the publick Assemblie, bot the contrare wes ordaned. Difficultie wes maid anent the conception of the wourds of the question, and the opposites vrged that reasons might be geuin why the article wes necessar. It wes answered and concluded, that the articles cumming from your maiestie shuld be allowed, vnles thay could proue it wer vnlaifull. So Maister William Scot of Couper, being commanded to speak, opponed aganis the article with modestie, and protestation that he wold be vnwilling to adduce reasons to impugne ane proposition cumming from your maiestie; and thairefter, proceeding to his arguments, wes secunded be Maister John Carmichell, with more vehemencie and wilfulness. They alledged that the ordour presentlie obserued in this cuntrie being agreable to the wourd, and Chrystes institution, and thay sworn at thair admiffion to the ministrie to obserue the true religion and discipline ressaue in this Church, thay could not with saif conscience alter it: which being censured, thay came to the substance of the question, anent the maner of ressauiing, and spent the rest of that day, and ane part of the nixt, in disputation vpon that subiect. Nothing being omitted be the aduersars, which thair owne inuentions, or the writings of these who allow thair opinion, could suggest; which being wiselie and learnedlie refuted be my Lord of Glasgo, whom Doctour Lindsay of Dundie, and Doctour Philp of Arbroth, Doctour Bruce, and sum vthers of the best and most learned, did assist, with manie evident and pithie reasons, the article wes ordaned to be voted in the conference, and in end allowed be so great oddis of voices, as

gaue wonderfull contentment to all the well affected; yet the number of the vulgar minifters having vote in the publict Affemblic being verie great, oure dowl rested what the euent might be, of that which depended vpon the opinions of ane multitude of ignorant or preoccupied people. For remeid whairof, my Lord of Santandrois, who, in direction, difputation, and all vther circumftances of this action, expreffed great wifdome, learning, and autoritie, well befeiming his place, delayed the voting the fecund day, that he and his brethren might haue fum tyme to difpofe thingis to ane wifhed end.

This day the bifchop of Galloway maid ane verie pertinent fermon, to perfuade the brethren to peace and edification. Thairefter, the Affemblic convening, new difturbances wer caffin in to reinuerfe all that wes done in the conference, and bring it of new to difputation, fo as my lord of Santandrois wes forced to permit all the articles to be of new reafoned; and if he had not be very graue autoritie reduced thair difcourfes to fuccinct and formell reafoning, it had bene impoffible to bring maters to any conclufion. Sum oppofitions maid yifterday wer this day repeated, and litle of any fubftance added be fuch as wer not of the conference, all which wes judicioufflie and perfpicuoufflie refuted be my lords of Santandrois and Glaſgo, and doctours Lindſay and Philp, whoes faithfull and profitable endeouours merites your maiefties gracious remembrance.

If complaint be maid be maifter John Carmichell, that I wold not fuffer him to enlairege his difcours of the ancient controuerſie, betwix the eaſterne and weſterne church, anent the precife day of Chryſtes birth, I muſt haue recours to your maiefties mercie.

In end, my lord of Santandrois, cutting ſchort thair affectat ſchiftis, whairby thay intended either to difapoint the mater, or to perfuade the Affemblic to remit it to ane vther meiting, he ordaned this propoſition onlie to be voted, whether the Affemblic wald obey your maieſtie, in admitting the articles proponed be your maieſtie, or refuſe thame. Sum inſiſted to haue thame feuerallie voted, bot both he and the deane of Wincheſter (whoſe diligence, difcretion, counfall, and gude aſſiſtance in this ſeruice, hes bene faithfull and verie commendable) declaired that your maieſtie wald reſſaue none, if all wer not granted; and ſo being put to

voting in these termes, fourefcoir and sex allowed the articles, fourtie and one refused thame, and three wer *non liquet*.

My Lord of Scone *antiquum obtinet*, and will neuer *aberrare a via regia*. My Lord Carnegie, the thesaurar depute, aduocat, Kilfyth, and Sir Andro Car, have done that faithfull dewtie which became thame.

The Erle of Louthian, the Lords Sanquhar, Vchiltrie, and Boyd, did lykwayes attend, with ane gude number of honorable and well affected barons; bot the prayse of the succes being onlie due to the wisdome of your maiesties directions, the wourthiest instruments have bene the two archibischops and the bischops of Galloway and Aberdene, and remanent of thair estate, of whom none wer negligent or remisse, bot professiedlie resolued in the aduancement of the action. Many ministers kythed verie dewtifull both in reasoning and voting; but all these particulars I must remit to the deane of Winchester's relation; onlie assuring your maiestie, that albeit the contention was vehement, both in the conference and publict assemblie, yet efter thay wer voted, thair appeired great contentment in many gude mens faces, for the happie and peaceable approbation of your maiesties articles. If your continuall caire of the good of this cuntre and churche moue your royall mynd to intend heirefter any church maters of such consequence, I beseech your maiestie, for the good of your owne seruice, to employ ane more fit commissioner in my place, who am als vnkilfull in thir subiectis as I am vngratious to the opposites. So, thanking God for the blissed end of thir affaires, and praying him that your maiestie may long liue and happelie preuaile in all your royall interpryses, I rest

Your Maiesties most humble, faithfull,
and bund seruant,

BINNING.

Santiohnston, the 27th of August,
at night, 1618.

To the Kingis most sacred Maiestie.

CCCLX.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

Your maiesties counsell in Scotland hes exped and fent hether the commiffion for treating with thefe of the Lowe Cuntries, anent the fifchingis, together with information of the iniurie and preiudice fuf-teaned be the whole kingdome, be the encrease of their daylie vfurpation in your maiesties feas, and of manie wrongis done vpon land in Orkney and Zetland to diuers your maiesties fubieets; bot becaus the complaints ar generall, I haue writtin to caufe fpecifie the particulars, and the meanes of probation of the fame.

The note of the counfels proceedings fent heirwith will teftifie to your maiestie their exact diligence in all that does concerne this treatie, and in the execution of your royall commandements aganis the erle of Argyle. The Vicount Fentoun will mak knowne to your maiestie the eftate of his efcheat and lyfrent, which is in his brothers perfon.

Now, fince the prefence of the commiffionars for the Lowe Cuntries is liklie to giue beginning to the treatie, I moft humblie befeik your maiestie to let the commiffioners for oure cuntrie know the groundis which your maiestie will command ws to keip, and the poyntis we may vrge, which we fall ftryue to obferue with all fidelitie and caire. The Marquis of Hamilton, whom your maiestie hes appoynted to be of that number, being particularlie informed be your maiestie of your pleafour in the premiffis, will be witnes of oure endeouours in the profecution thair of. So, wifhing that God may continow his grace and fauour in this and all your maiesties affaires, and prorogat your health, lyfe, and contentment manie happie yeiris, I reft

Your moft facred Maiesties moft humble and
faithfull fubieet and feruant,

BINNING.

[*Postscript.*]

Please your maiestie, when I was closing this letter, I receiued from the Archibischop of Santandrois ane letter aduerteising that, vpon information of sum disobedience liklie to kythe in sum ministers aganis the aētis of the last Affemblie, he had trysted the bischoppis to meit him at Edinburgh, whair they have ordaned the copies of the last aētis to be sent to the presbiteries, with expresse command to them to obey them.

They earnistlie desire that your maiestie may be pleased to send expresse command by letter to Mr Alex^r Gibson not to giue owt letters to any minister vpon the late modifications appoynted be the Commissioners of parlement, vnles the ministers produce their Bischops testimoniall of their conformitie to the aētis of the late Affemblie, which direction requyres great haift.

Whythall, 28 Nouember, [1618?]

To the Kingis most Sacred Maiestie.

CCCLXI.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I know your maiestie will expect from me true and timelie relation of the obseruation of Easter day in this towne. The accompt of the performance of your maiesties directions, conteaned in my last, sent to James Douglas, to be schowne to your maiestie, told, that the priue counfallours absent, whoes dwellingis wer neir this towne, wer, be my lord Chancelars letters, desired to cum and accompanie the nomber present, who wer to communicat heir according to your maiesties commandement. The Erles of Mar, Winton, Louthian, Lordis Fleiming and Bukcleuch,

came ; the rest wrait thair true excuses of aige or feiknes. Vpon Setter-day, I desired the lordis of session to convene vpon Easter day at my lord Chancelars ludgeing, that all the nomber might accompanie his lordship to church. The lyke wairning was sent to the privie Counsellours being in towne, who did as they wer desired. Maister Andro Ramsay made the sermon of preparation, and vsed verie good reasons to persuade the people that, with safe conscience, they might, and in Christian duetie they wer bund, to obey that which was ordaned be the Assemblie, and commanded be your maiestie ; he having done the same vpon Good Fry-day. Maister Patrik Galloway preached vpon Easter day, who omitted no good meanes to instruct the people of the lawfulness of the ordour preseryved, and necessitie of their obedience and conformitie ; and thairefter going to the celebration, the nobilmen, counsellours, and sessioners, going to the first table, all vpon their knees, maisters Galloway and Ramsay did first receive kneeling, and thairefter ministred to the honorable persons being at table, geuing the bread and wyne to euerie one with their owne handis, with the recommendation and substance of the holie sacrament, so zealoussie as moued the people to receiue with great humilitie and deuotion ; whoes exemple wes so uniformellie followed be the whole congregation present, that neither man nor woman, during the space of almost foure houris, offered to receiue sitting vpon the fumes, except one onelie baffe fellow ; and I am perswaded that all that did fie that holie action, or participat of it, depairted so well edified that, in their conscience, they regrait that this godlie and deuote order wes not soner instituted, and that in all their lyfe, they will neuer willinglie receiue in any other maner. Sum who wer in the Colledge Church haue told me, that the lyke order wes obserued their be maister Williame Struthers and maister Thomas Sydserf, with the lyke conformitie and contentment. It is true that many of the citizens of this towne, speciallie of the women, wer absent at other churches, bot the magistrats present gaue verie good exemple to the rest. This good and peaceable beginning persuadis wyse men, that it will not be in the power of sum obstinat puritanes any longer to diuert any good Christians from embraceing this godlie and reuerend institution. Of thir maters, and of the behauour of

the people in the rest of the cuntrie, your maiestie will heare farder from the Bischops, who ar attending their chairges in their feuerall diocefes ; and if the ministers do their dueties, according to the good exemple begun in Edinburgh, I hope your maiestie fall haue no necessitie to vse authoritie or rigour, bot that God, who hes blessed all your maiesties godlie resolutions and iust commandements, fall bring this holie dissein to ane peaceable and wished perfection, and continow to ws the blessingis which, be your maiesties wyfe and religious gouernement, we haue enioyed, in more accomplished and constant measure, nor any nation on earth, so long as He fall preferue your maiesties health and lyfe, which I earnestlie pray may be to the longest periode granted to any mortall man, as

Your Maiesties most faithfull, obedient,
and bund seruant and subiect,

BINNING.

Edinburgh, 29 Merche, [1617?]

To the Kingis most sacred Maiestie.

CCCLXII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I yesternight, late, receiued ane letter from the Archibischop of Santandrois, signifieing that he had before writtin to the Deane of Winchester, to informe your maiestie of his opinion anent the sermons to be made at this approaching Christmas, in the churches of Edinburgh ; and that knowing fenfyne that the deane wes not at court, and so fearing that your maiestie fould not in dew tyme be aduerteifed of his humble opinion, he hes willed me to signifie to your maiestie that the ministrie of Edin-

burgh wer earnist with him to preache that day in Edinburgh, which he had refused, and had willed them to preache in all the churches of the towne that day, knowing manie of the cuntrie to depend vpon their example : And thairfore, if your maiestie intend that course, he earnistlie desires your maiestie to fend letters to them, with all goodlie diligence, declairing to them your exprefs pleasour thairanent.

He wrytis that those ministers still insist with him to fill the place for this tyme, and that Maister Patrick Galloway, whom he findis best mynded, promises that from that tyme furth they will tak ordour to obey the actis ; and if your maiestie think good that he grant their desire, vpon your maiesties speedie aduerteisment, he sall returne to Edinburgh, and giue the people the best satisfaction he can that day, becaus he wisheis all thingis to be done calmelie, foreseing that if they faile to keip the day by their sermons on it, others will be the more animated to disobey ; and thairfore thinkis, if his supplieing the place at this tyme, may induce them heirefter to conformitie, it sall not be the worst course, bot that he hes not yeilded to them as yet, suspending his resolution till he know your maiesties determination, being reddie to do that office, if so your maiestie allow : And if your maiestie will have the ministers themselves to preache, he thinkis it expedient that your maiestie signifie your pleasour be your owne letter as from your self, declairing that your maiestie will not be content to haue one church serued, except they be all ; and if your maiestie allow him to put af this tyme, vpon the hopes they giue him of future conformitie, he sall willinglie do it ; humblie craiving that your maiesties pleasour may be speidilie signified. So, praying God to blisse your maiestie with long lyfe, health, and all wished prosperities, I rest

Your Maiesties most humble, faithful, and obedient
subiect and seruant,

BINNING.

Whythall, 8th Dec. [1618?]

To the Kingis most sacred Maiestie.

CCCLXIII.—LORD BINNING TO THE KING.

MOST SACRED SOUERANE,

I haue, according to your maiesties direction, tryed the behaiour of the magistrates of Edinburgh at Chriftnas laft; and learned that the proueft, bailies, and counfell, convoyed my lord chancelar to the Hie Church, and wer all present at fermon, fo as thair wes no default for want of their good exemple.

The Archibifchop of Santandrois affures me that he hes written to your maiestie of all that he hes tryed concerning the dewtie or vndewtifulnes of minifters and others, anent the obferuation or violation of that holie day, and hes confirmed the trueth of all that I fpak to your maiestie of Maifter Patrik Galloway and Maifter William Struthers faithfull and frank proceeding at that tyme.

Of your maiesties directions concerning the Erle of Argyle, and other particulars, I fall giue accompt efter the nixt counsell day.

Maifter Thomas Knox, fone to the Bifchop of the Iles, is to informe your maiestie of the present eftate of the Iles, whairby your maiestie will, in your moft excellent wifdome, judge what to direct for the perfyte fetling of order and obedience in thofe barbarous pairtis. I haue knowne his father and himfelf fo faithfull in your maiesties feruice, as I am confident your maiestie may beleue the trueth of his report and finceritie of his good intentions. So, hairtelie befeeching God to bliffe your maiestie with long lyfe, perfyte health, and constant prosperitie, I reft

Your moft facred Maiesties moft humble, faithfull,
and obedient fubieft and feruant,

BINNING.

Edinburgh, penult of Januar, 1619.

To the Kingis moft facred Maiestie.

CCCLXIV.—EARL OF MELROS TO THE KING.

MOST SACRED SOUERANE,

The necessitie of my obedience to your royall commandement forces me to giue your maiestie an accompt of the order obserued in this towne at Easter, not so gracious as I wished. The ministers haue all done there dutie. Maister Andro Ramsay preached vpon Good Fryday, vpon the first Epistle of Saint Peter, 2 chept. 24 verse. Maister John Guthrie, on Setterday, vpon the sixt verse of the 26 psalme, and Maister Patrik Galloway, vpon Easter, his text being the 23, 24, 25, and 26 verses of the 11 chep. of the first to the Corinthians; all of them verie worthelie, according to the time and holie subiects wherof they had to entreat. The number of communicants wes small; no strangers, few of the townes people of good fort. The greatest part receiued kneeling, following the exemple giuen by the ministers, and by your maiesties thesaurar deput, aduocat, and me. Maister Patrik discretlie moued some to kneel who offered to haue done otherwayes, but findrie of the base fort, and some wemen, not of the best, did sit. In the Colledge Church I heare by them whom I caused attend, that the number of communicants far exceiding that of the Hie Church, verie few of them kneeled. Maister William Struthers, who preached vpon Easter day, vpon the 25 verse of the 11 chept. of the first to the Corinthians, and Mr John Maxwell, who assisted him in the celebration, receiued vpon there knees, but verie few did imitate them.

It is neither the bishops nor the most part of the ministers' fault that better obedience is not giuen, bot we haue a number of ignorant and peruerse people, who *in vetitum nituntur*; and if withowt offense I may speake, I beleue that time and conuenience fall preuaile more to reduce them to conformitie nor suddane or vehement instance, the multitude of the auerse appearing to require *ut quod a multis peccatur impune paupis sit*, least the scandall and difficultie of the remede should be more hurt-

full nor the toleration for a short space ; the trouble of a rascallie multitude for a subiect which is pretexted with conscience, not seeming seasonable, which I humbly submit to your maiesties most excellent wisdom : And, begging pardon for my presumption, I beseech God long to faue and prosper your maiestie with health and perfite contentment, I rest

Your sacred Maiesties most oblised, humble, and
obedient subiect and seruant,

MELROS.

Edinburgh, 16th April.

To the Kingis most sacred Maiestie.

CCCLXV.—EARL OF MELROS TO THE KING.

MOST SACRED SOUERANE,

My knowledge of your maiesties desire to vnderstand the order obserued in the church of Edinburgh thir holie dayes, giues me hope of pardon for troubling your maiestie with this accompt. Vpon Good Fryday, Doctor Forbes hauing chosen for text the 24 verse of the 2 ch. of the first epistle of Sant Peter, first proponed the louable custume of the primitiue Church to obserue holerie that day; and thereafter discoursed verie zealouslie and learnedlie vpon the passion of our Sauour, and frutes therof. The next day, Maister Andro Ramsay, who made the sermon of preparation, took the parable of inuitation to the mariage, and punishment of him who came without his wedding garment, mentioned in the 22 of Sant Mathewe's gospell, for his text; which he expounded orderlie, efter his learned maner. Vpon Easter day, Maister Patrik Galloway preached vpon the 23 and following verses of the 11 chap. of the first

to the Corinthians, and thereafter proceeded to the ministration of the holie communion, assisted by Maister Andro Ramsay; who performed their charge verie religiouse, and with such obedience and deuote conformitie of the people, as there wes not any of the whole communicants that I could see or heare to haue receiued the holie sacrament fitting, except two women, and ane base man, more worthie to be declared idiot nor to haue been admitted to the holie table. I heare that Maister William Struthers and Doctour Forbes, who serued in the Colledge Church, performed also their duties faithfullie; and albeit the whole counsell and members of Session be at vacance in the cuntrie, so that of that number none wer present except your maiesties aduocat, my self, and some of my sones, and scarce any one gentleman; yet the order of the seruice being more exact and perfite nor in preceeding times, the ministers are forced to take two Sondays more for seruing the whole congregations. So, beseeching God to grant your maiestie most perfite and constant happines, I rest

Your most sacred Maiesties most humble and
faithfull subiect and seruant,

MELROS.

Edinburgh, 22 April.

To the Kings most sacred Maiestie.

CCCLXVI.—THE PRIVY COUNCIL TO THE KING.

MOST SACRED SOUERAIGNE,

Vpoun the knowlege of that lettre send be your maiestie to youre chancellour, and of your maiesties earnest desyre to be treulie and tymoullie informed of the circumstanceis of that proude contempt and presumptioun of some of the people of Edinburgh to censure thair ministeris doctrine; we conuenit and mett this day, send for all the

perfonis exprest in youre maiesties letter, and spent the whole day in examination of thame: And first, wee began with Williame Rig, baillie, and his compliceis, who wer gevin vp to be vrgearis of this censure; and having endit with thame, wee then called vpoun the Prouest, Baillies, Deane of Gild, and Thesaurair, whose whole depositionis, after the most strict maner that wee could tak the same, wee haif heirwith send vp to your maiestie. And tuitcheing our opinioun and censure of this præsumptioun and contempt, wee think the same in generall to be ane offence of bad example, carying with it verie probable appeirances of mutinye and thifme, and thairfoir woorthie of rigorous punishement, by confyneing or fyneing, according to the qualitie of the personis, and nature of the offence, quhilk, as wee conceaue, hes three brancheis: First, the publiæt impugning of Doctor Forbes doctrine be Johne Dickson, who, with grite humilitie and repentance, acknowledgeis his ouersight; protesting, gif he had thocht that it wald haif gevin the least mater of offence, that he wald neuer haif oppynit his mouthe thairin, and promising to be more respectiue of his behaviour in materis of that kynd in all tyme heirefter: Secundlie, the standing to and susteaneing of this point be Williame Rig and Johne Hammiltoun: Thridlie, the vrgeing of the ministeris to celebrate the commynioun against the receaued ordouris of the Church, and publiæt lawes of the kingdome, be the said Williame Rig and John Meyne: And, last, Williame Symfoun his refusall to serue the tables at the communioun, in respect of the receaued ordour of celebratioun thair of, and his challenging of Mr Patrik Galloway for not attending of the fessioun. All whilkis, in oure opinioun, ar punishable in the awne kynd; bot becaus the not knowing of the qualitie of the personis may mak some mistakeing in the ordour of punishement, wee haif prefoomed, for your maiesties better cleiring in this point, to acquainte your maiestie, that Johne Meyne and Williame Symfoun ar bot poore men; the first having the burding of a numerous familie, and the other leiving by his credite in venting of wyne: the other twa ar in some better estaite, bot men of no grite wealthe, and Williame Rig is ane wealthie man. After that wee had endit with thame, wee called for the ministeris, and earnestlie delt with thame to acquaint ws with thair greeves, that accord-

inglie wee might tak ordour for repairing of the same. Thay wer sparing to come to particularis, bot in the generall, thay exprest als grite caus of greiffe and havynes, as euer pastoris had of thair flocke, quhilk, as thay affirmed, thay euer concealed and boore vp till this laite contempt and indignitie enforced thame now against thair hairtis, after long patience, to reveill the same. Wee haif assured thame of all the fauour and concurrence to procure respect to thair personis, and obedience to thair ministerie, that our placeis will allow; and wee haif gevin ordour and directioun to the Magistratis of Edinburgh to doe the lyke. This being the effect of our proceedingis in this buffynes, wee humbly present the same to your maiesties princelie consideratioun, and what your maiestie shalbe forder pleased to command thairin shalbe accordingly obeyed. And so, with oure humble and earnest prayeris vnto God for your maiesties long and happie reign, wee rest for euer

Your Maiesties most humble and obedyent
subiectis and seruitouris,

GEORGE HAY.
A. MAR.
SANCTANDREWS.

AD. B. OF DUNBLANE.
MELROS.
W. OLIPHANT.

Halyrudehouse, the last of
Aprile, 1624.

To the King his most sacred and
excellent Maiestie.

CCCLXVII.—EXAMINATIONS BEFORE THE LORDS OF PRIVY COUNCIL
RELATIVE TO WILLIAM RIG, &c.

At Haliruidhous, the last day of Aprile, 1624: In presence of the
Lordis Chancellair and Thesaurair, the Archibishop of St
Androis, the Earle of Melros, the Bishop of Dunblane, and
Sir Williame Oliphant, Aduocat.

WILLIAME RIG, Baillie of Edinburgh, examined and demandit, yf he wes present at the meiting of the nightbouris of the toune in the Litle Kirk, vpoun Twisday after Easter last, deponis, he wes present at that meeting.

Demandit, yf, by reasoning or discourfe, he sustenit that the doctrine of the pastouris of the said burgh might be censurit in that meeting, deponis, that Johnne Diksoun haueing regraitit to the meeting ane scruple and doubt that he had apprehendit vpoun occasioun of some speecheis vtterit be Mr Williame Forbes publictly in a fermone maid be him, saying, that the materis contrauertit betuix the Romane Church and ws might be easilie reconfild: and Mr Williame Strutheris, moderatour of the meeting, haueing answerit, that the doctrine of the pastouris wes not to be censured be that meeting, the deponner mantennit the contrair opinioun, saying, that no tryall nor censure could seclude the sessioun of the kirk from thair tryall and censure; alledgeing some passageis of scriptour for his warrand, especialie oute of St Johnne, quhair it is writtin, Try the spirittis yf thay be of God or not: And grantis that he sayd the iudgement of discretioun belonged till all men.

Demandit, yf he defyrit the ministeris to gif the commvnioun after the auld maner, grantis the same.

JOHNNE DIKSOUN, flesheour, demandit, yf he wes present at the meeting foirsaid, grantis the same, it being ane vsuall custome in the kirk to keepe the said meeting, and quhairof intimatioun is yeirly maid be the ministeris vpoun the Sondag preceding to the people to keepe the same.

Demandit, yf at the meeting he vtterit ony speecheis concerning Mr Williame Forbes or his doctrine, deponis, that the clerk of the sessioun, haueing desirit the people conuenit to declair quhat thay had to say aganis thair ministeris, towcheing thair lyffe and doctrine, and this deponner haueing hard Mr Williame Forbes, in a fermone maid be him in the Little Kirk, mantene that thair wes findrie contrauertit headis betuix the Romane Church and ws that might be reconfild and aggreit; and this haueing bred some scruple and doubt in the deponaris hait and conscience, he thairupoun tooke occasioun simplie, without choller or spleene, to regrait the same, saying, that he had hard some of our ministeris of auld declair

in thair fermonis, and teache to thair flocke, that light was no more contrair to darknes, nor Christ to Belial, nor we and the Romane Church ar, in pointis of faith and doctrine. And deponis, that he is forie from his hairt that he fould haif challengeit his pastour in publiēt vpoun thai pointis, and yf he had thocht that offens wald haif bene tane at it, he wald neuer haif done it.

Denyis that he desirit the ministeris to gif the commvnioun in the auld maner.

JOHNNE HAMILTOUN, apotecour, demandit, yf he wes present at the meeting fairfaid, and quhat wes his behaiour thair, deponis, he wes present at the said meeting, whilk meeting is a ordinair custome in our Church vpoun the Twisday afor the celebratioun of the commvnioun; and the deponner haueing hard Johnne Dikfoun impugne some pointis of doctrine vtterit be Mr Williame Forbes, anent the materis contrauerted betuix ws and the Romane Church, quhairin, as the deponner thocht, the meeting gatt not satisfactioun, he said and proponned this questioun, that yf he wer to minister phisick, his patient had resoun to trye yf the phisick wer goode and holesome, seing it importit the weele of the body; so, we had mutche more reafoun to trie the phisick of the faull, whilk is the sweete milk of the worde: and deponis, that he spak this onlie vpoun occasioun of Johnne Dikfonis speecheis, and no other-ways; and denyis that he spak ony thing concerning the commvnioun.

JOHNNE MEINE, marcheant, examined, grantis that he wes present at the meeting fairfaid, and that he desirit Mr Williame Strutheris to minister the commvnioun in the auld maner; and grantis that quhen the people wer regraiting the point of doctrine fairfaid, vtterit be Mr Williame Forbes, the deponner, perfaving Mr Andro Ramsay to laugh, he said vnto him, Weele, Sir, are yow laugheing at the regraitis of the people, yow will ansuer to God for it. And he medlit no farder in these materis.

WILLIAME SIMSOUN, mercheant, examined, grantis he wes present at the meeting fairfaid, bot spak no thing concerning the commvnioun, nor Mr Williame Forbes: grantis that he wes one of the fessioun; regraitit that Mr Patrick Galloway attended not the fessioun, nowther vpoun the Sunday nor oulk day; and grantis that he being desirit, as one of the

fessioun, to serue the table the tyme of the celebratioun of the commvnioun, he refused to do the same.

ALEXANDER CLERK, prouest of Edinburgh, demandit, quhat past betwix him and the nightbouris of the toun at the meeting foirsaid, deponis, that the clerk of the fessioun haueing, conforme to the ordour, askit of the people, yf thay had ony thing to obiekt aganis thair ministeris, concerning thair lyffe and conuersatioun, Johnne Diksoun, flesheour, raife vp, and with verie grite modestie desirit to be heard; whilk being grantit vnto him, he said, that he hard Mr Williame Forbes delyuer some doctrine in a sermone towcheing the contrauertit pointis betwix ws and the papistis, whilk wes contrare to the doctrine formarie taught vnto him: and he, desiring that his doubtis and scruple anent that point might be cleirit, the deponner refusit to suffer ony medling to be thairin, saying and mantening, that that place and meeting wer not judgeis of thair pastouris doctrine, and that modestie and requirit that the said Johnne sould haif gone to his pastour and oppynnit vp his grief vnto him, fra whom he wald haif gottin resolutioun and satisfactioun anent his doubt; and so, commanding Johnne silence, he acquiesceit and spak no forder. And some twa or three otheris preassing to vrge this mater of new, and that thair greivis in this point might be related to the rest of the ministerie, and Mr Williame challenged thairupoun, the deponner refusit the same, imposing silence vnto thame, and sharplie reprooueing thame for thair presumptioun in thair publick challenge of thair minister, of whome, in dewtie, thay sould haif craued resolutioun of thair doubtis secreitlie betwix thame selffis. Deponis, That quhen the assemblee was rissin, and all vpoun thair feite, one, whome the deponner saw not, bot hard his voice, cryed out, desiring the deponner to caus the ministeris gif the commvnioun in the auld maner.

The other three Baillies, withe Deane of Gild and Thesaurair, adhere to this depositioun, and wer conforme thairto.

CCCLXVIII.—LORDS OF THE PRIVY COUNCIL TO THE KING.

MOST SACRED SOUERANE,

Wee reffaut your maiesties lettre of the xxi of Maij, by the whiche your maiestie hes sett down the forme of punishment, whilk your maiestie will haif to be inflictit vpoun these of the burgh of Edinburgh, who so præsumptuouslie censurit thair pastouris preatcheing vpoun Twyifday afoir Easter last : and, for obedience thair of, haueing convenit and feriouslie aduisit vpoun the best meanes of proceeding in the buffynes, finding it expedient to call the offendouris befor the counsaill, that thair offence might be knawne to all the number, and that the sentence might be pronounceit ordourlie agains thame, for closing of the mouthis of the common multitude, who ar euer readdie, vpoun the least occasioun, to misconstrue all laughfull proceedingis, and wald not haif failed to haif furnished agains this, as being caryed by a few number of selectit personis, whome thay accompt partiall, becaus wee ar readdie, according to our bundin dewtie, to obey and execute your maiesties laughfull commandementis ; for this effect, wee causit warne thame befor the counsaill to this present day. Lyke as thay compeirit, and with the prouest, baillies, and whole ministeris, who in ane voice declairit that Williame Rig wes come to ane grite acknowledgement of his formair misbehaviour, and oute of a single and humble hairt, had gevin satisfactioun and contentment to the ministerie in all these materis whilkis bred the scruple and offence amongis thame ; and that he had promiseit, by a respectiue and dewtifull behaviour, in tyme comeing, not onlie to eshew all occasionis of new offence and scandall, bot by his goode cariage to give example of the lyke to otheris ; and the ministeris ar in opinioun of his future conformitie to all goode ordour. And whereas thay seeke nothing bot ane peaceble ministerie, and to live in that vnitie and love with thair flocke that becometh, thairfor, thay humblie intreated ws for a mitigatioun of the sentence on the pairt

of the said Williame, whilk thay thocht wald produce better effectis nor ony rigour that could be vsed agains him : And besydis this thair declaratioun and intreatie, Williame Rig gaif in a verie humble petitioun himself vnder his hand, quhairby he cleirit himself of some pointis wherein he wes mistaken in his formair depositioun, as, namelie, that point anent the power of the sessioun to censure thair ministeris, and to excommunicat ; wherein he affirmis, that he onlie meaned of the ministeris, with the eldairis and deaconis of whome the sessioun is composed, and no otherwayes, and that he detestes all opinionis of populair power ouer the ministerie, as smelling of that odious opinioun of the Browneistis, quhairof he protestis he is free, and disclames the same as being impious befor God, scandalous in a Reformed Church, and repugnant to all goode ordour : And twitcheing that point of his confessioun, where he grantit that he desyrit the m'nisteris to celebrate the commvnioun after the auld manner, he protestis solemnlie that he never motioned ony fuche mater at the meeting foirfaid ; bot being demandit vpoun that point, and sua surprysed vpoun a suddane, and not fully resolued thairanent, he made choise rather to confes, then by ane vnaduist denyall to be broght bak with a lie, whairanent he offerit to submitt himselff to the declaratioun of the prouest and baillies ; who, with some otheris vn suspect personis who wer present at the meeting foirfaid, being demandit vpoun this point, thay all declairit, vpoun thair grite oathes, that thair wes no fuche mater moved nor spoken be the said Williame at that tyme. This petitioun, with the humble and earnest requeist of the prouest, baillies, and ministeris, being hard and throughlie confiderit at the Counsaill table, and it being verie weele knowne to the whole nomber, that your maiestie, oute of your most religious dispositioun towardis the propagatioun and advancement of religion, doe feik nothing in all this bussynes bot obedience to the ordouris and discipline of the kirke ; thay thairfoir inclynit to satisfie the magistratis and ministeris in this poynt ; and hes confyned the said Williame in his awne house, till your maiesties forder pleasoure be knowne, and the rest ar directit to the appointit placeis of thair imprisonment and confyneing, except Symfoun, who, in respect of his pouirtie, notour vnto ws, is maid prissonner in the tolbuthe of Edinburgh ; and thay ar all to keepe thair

wardis till your maiesties forder pleafoure be decernit agains thame. Wee haif onlie gone this far for the present, as a beginning of thair punifhement, and shall hold the rest ouer thair heades till wee fee vnto what conformitie this pairt of the punifhement drawis thame : and quhen your maiestie falbe pleased to command forder heirin, vpoun the significatioun of your royall will to the whole Counsaill, it falbe obeyit. And so, remembering our humble and earnest prayeris vnto God for your maiesties lang and happie reign, wee rest

Your Maiesties most humble and obedient
subiectis and seruitouris,

GEORGE HAY.
A. MAR.
MELROS.

W. OLIPHANT.
AD. B. OF DUNBLANE.

Halyruidhoufe, the tent of Junij, 1624.

To the King his most sacred and excellent Maiestie.

I N D E X.



INDEX.

A.

ABERCORNE, COUNTESS OF, 363.

———, EARL OF, 103; urged to submit his differences with Sir George Hamilton, 363.

Aberdeen, 259, 297; some citizens of, pursued before Privy Council for buying pearles since proclamation, 446; Dutch ships there, 488, 489, 497, 498, 499.

———, BISHOP OF [Peter Blackburn], grants disposition to second teinds, 25; [Patrick Forbes], observations as to the proposed contribution for the Palatinate, 377, 378, 381.

Abbotishall, 484.

Abroche, Robin, remission to, 97; Sir Thomas Hamilton's character of him, *ib.*

Achesoun, William, of Powcornall, fugitated, 451.

Achesoune, John, in Coryphen, acquitted, 452.

Achmoutie, John, 428, 473, 525.

Advocate, Lord [Sir William Oliphant], 161, 208, 243, 253, 428, 446, 511; conference with Earl of Orkney, 188, 189; Mr William Watson examined before him, 209.

Advocates, threatened by the Lorde Thesaurer, Clerk Register, and Secretary, for raising

an objection to the title of the Justice Depute, 281.

Aikman, John, 120.

Air, see Ayr.

Alexander, Sir William [afterwards Earl of Stirling], 252; present at King James VI. funeral, 590.

Allowa [Alloa], 455, 473.

Alum, privilege of making, to be granted to a Fleming, 89.

Amesfield, 542.

Amisfield, Laird of, absent from meeting of Commissioners of Middle-shires, 553.

Angus, 299; Temple Lands of purchased, 163.

———, EARL OF, in ward, 47; finds caution to leave Scotland, 57; dispute with Earl of Nithsdale as to precedence, 375, 376; dissuaded from craving vote before Marquis of Huntly, 376; claims to vote before the Marquis, but withdraws demand under protest, 381; asserts that this right is by particular grant from the Crown, 389.

ANNAND, VISCOUNT OF, 470, 472, 474; thanked by Sir Thomas Henryson, 471; and

- by Lord Johnston, 472; at Elderschote, 474; letter, Earl of Melros to him, 483; Alexander Colville intreats him to be very particular in appointing a successor to Lord Justice Clerk Ormiston, 484, 485; letters, Earl of Melros to him, 487, 494, 495, 496; sends gloves and buskins to Lord Melros, 497; letters, Earl of Melros to him, 508, 524, 528; Patrick Hamilton solicits him to continue favour to city of Edinburgh, 519; friendship confirmed between him and the Marquis of Hamilton, 526; daughter's security expedite, 528; informed of dispute between the Earl of Nithsdale and Sir William Seton, 538; letters, Earl of Nithsdale to him, 542, 543; letter, Sir Thomas Hope to him, 545; thanked by Alexander Colville for using his influence for Sir Alexander Naper, 551; solicited by Colville to get his salary raised, 552; see Annandale.
- ANNANDALE, EARL OF, letter from Earl of Nithsdale to him, 560; present at funeral of James VI., 589; letter, Earl of Nithsdale to him, 593.
- , stewardry of, in confusion, 543.
- ANNE, of Denmark [QUEEN of King James VI.], indisposed, 3; solicits Sir William Steuart to become cautioner for Jean Steuart's tocher, 206; death, 324; notice of her death to be taken in sermons, 325.
- Annual Rents, taxation on, 426, 438.
- Anstruther, fishermen of forbidden to fish off Feroe Islands, 304.
- Apparel, superfluous, objected to by King and Privy Council, 435, 436.
- Arbroath, 291.
- , Magistrates of ordered to provide necessities for horse and men upon occasion of King's visit, 290.
- Arbroithe, see Arbroath.
- Ardehatten, 228.
- ARDES, VISCOUNT OF, written to by Privy Council regarding influx of Irish vagabonds into Scotland, 556.
- Ardincaple, Laird of, 165.
- Ardmenach, lordship of, 364.
- Ardnamurchayn, 218.
- ARGYLE, EARL OF, infest in Kintyre, 28; commission to be granted in his favour for putting down disorders in the Highlands, 122; pays fourteen lasts of herrings as tack-duty, 124; accused by rebels of having authorised seizure of Dunivaig, 167; his liferent of Jura and Colensa gifted to Sir George Erskine, 204; to proceed against rebels, 223; death rumoured by the rebels, 229; letter from Lord Binning to him, 230; necessity of his proceeding against rebels, 232; unwell, 233; letter to James VI., *ib.*; proceedings against rebels, 235, 236; letters from Lord Binning to him, 237, 243; letters from him to Lord Binning, 244, 247; application of his vassals to the Privy Council, 321, 322; infestment in the lordship of Kintyre in favour of his eldest son of the second marriage objected to, 587; delayed by Privy Council, 588.
- , feuars of, 321.
- Armestrange, Geordie, fugitated, 451.
- , John, called Bauld Jock, executed, 452.
- , Margaret, called the Wairding, fugitated, 451.
- , Syme, called Qwhythauche, acquitted, 452.
- , Thomas, fugitated, 451.
- , Willie, called Pavunes Willie, acquitted, 451.
- Armorthy, Castle of, 246.
- Arnot, James, accused of fraudulent bankruptcy, 571; case examined by Privy Council, *ib.*; acquitted of the charge, *ib.*
- , Sir John, 39, 42, 94, 277.
- Arran, rumour of foreign vessels there, 45; Bishop of the Isles remains there, 165; rebels fly to, 336.
- Artaxerxes, anecdote of, 380.
- Articles, the Lords of, proceedings of, 15, 16, 17; influenced by the Earl of Dunbar in Restalrig's forfeiture, 67; packed in order to favour the King's wishes, 416.

Assembly, General, at Aberdeen, 297; at St Andrews, 302; at Perth, 331; Articles of Assembly at Perth impugned, 412.

ATHOL, COUNTESS OF, proceedings between her and her son-in-law, 9, 10; ordered, together with her pretended husband, to be detained, 169.

——, EARL OF, unsuccessfully prosecuted by his mother-in-law, 9, 10; charged to produce murderers of Kinfauns, 22; put in ward, 30; deeply in debt, 31; pursues M'Coneil and

M'Rannald, 211; title to be conferred on the Earl of Tullebardine, 254.

Aulderfeit, 597.

Ayr, 77; the best seaport in Scotland except Leith and Dundee, 78; visited by the plague, 79; revenue insufficient for expenditure, *ib.*

——, VISCOUNT OF, 483, 505; to settle securities between Lords Annandale and Nithsdale, 483; goes to England, 530; present at funeral of James VI., 589.

Aytoun, Laird of, 403.

B.

BAGONE, 495.

Bailie, George, 461.

——, Sir James, 399, 473, 483, 487, 496, 508, 524, 525, 546, 548.

Balkanquole, Mr Walter, examined, 13.

Balfour, Mr James, examined, 13.

——, Sir William, craves a grant of the un-laws and penalties of the Justice Courts, 93; grant objected to by Privy Council, *ib.*

BALMERINO, LORD, Letter of Privy Council to the King, relative to, 57, 58, 59; proceedings adopted against him, 65, 66, 67; his father the purchaser of the Temple Lands of Angus, 163; to be at Court, 167.

Balvaird, Laird of, 195, 199; a Commissioner to treat on the matter of the Wool, 501, 505, 520.

Banquetting, superfluous, objected to by King and Privy Council, 435, 436.

Barclay, William, 263.

Bargany, Thomas Kennedy of, 205.

Barklaes, 452.

Barnbarroch, 139.

——, Laird of, a sensible gentleman, 251.

Barnbougall, 23, 89.

Barons, infest with privilege of pitt and gal-lows—their powers, 557.

Barrogh, 326.

Barskeo, Gudeman of, 87.

Barwicke, see Berwick.

Bass, Lady, 528.

——, Laird of, 404, 405, 483, 495, 496, 529, 547.

Bauld Jock, executed, 452.

Beacons erected in the river Forth, 400, 401.

Beggars, great increase of, 527.

——, in Fife, order taken with them, 308.

Belches, John, 253.

Bemersyde, 260, 261.

Beruick, see Berwick.

Berwick (County), right to appoint a sheriff-clerk claimed by Goodman of Renton, 282, 283.

——, merchants robbed and left for dead on their way to, 273.

——, town of, 290, 291, 294, 299, 529, 571.

BINNING, LORD, informs John Murray that William Dick will lend eleven thousand merks to be paid John Joussie twelve days after receipt, 137; letters to his brother re-

lative to proceedings in Orkney, 153, 154, 157, 158, 168, 169; accuses Bishop of Isles of unnecessary delay, 164, 594; informed by Lord Chancellor of arrival of Spanish ship at Burntisland, 159; objects to the captain and crew being treated harshly, 160, 161; leaves Edinburgh for Fife, 161; letters to his brother, 161, 162, 163, 164, 167, 169; purchases Temple Lands, 162, 163; desires his brother to lay the letters and depositions relative to the Spanish ship before the King, 163; detained in Edinburgh, 168; informs his brother of their nephew's marriage, *ib.*; orders detention of old Lady Athole and her husband, 169; capture of Robert Stewart and Patrick Halero communicated to him, 182, 183; procures information from Andro Martin, 184; conference with Earl of Orkney, 188, 189; recommends a friend to John Murray, 189, 190; wishes the advancement of Archbishop of Glasgow and Bishop of Orkney, 194, 196; transmits Parson of Dysert's supplication to John Murray, 198; delivers to the Earl of Eglington his infestment, 199; acquaints the King of his negotiations with the Sheriff of the Forest, 203, 204; instructions to the Earl of Tullibardine, 213, 214, —and to Sir Rorie M'Leod, 224, 225, 226; Sir James M'Donald entreats his assistance, 226, 227; writes the Earl of Argyle to proceed against rebels, 230, 231, 232; letter to John Murray, 234; letters to Earl of Argyle, 235, 237; to Archibald Campbell, 238; letters from Campbell to him, 239, 597—reply, 240; further instructions to the Earl of Argyle, 243; letters from Earl of Argyle, 244, 247; writes to John Murray as to various matters, 249, 250, 253, 254; letter from William Haig, 255; explains his conduct to the King in regard to James Haig's complaints against him and Chancellor, 260, 261; letter to the King, 267; informs him of proceedings before Convention, 271; curious account of state of Scotland, 272, 273, 274; threatens the lawyers for raising objections to the title of the Justice Depute, 281; informs

the King of various matters, 281, 282, 283, 284; communicates to the King the arrangements for his reception, 287, 288, 289, 290; informs the King of attempted assassination by Lord Oliphant, 291; proposes to his Majesty that wording of his proclamation should be altered, 293, 294; intercedes with the King to liberate the master of a coal ship of the Low Countries, 295; letters to James Douglas, 303; receives orders to prevent the Dutch from fishing off the Scottish coast, 306; informs the King of proceedings against Ross for libel, 315, 316; sends copy of process to James Douglas, 316; letter to James Douglas as to supposed murder in Galloway, 317, 318; note signed by him to be shown to the King, 318, 319, 320; condoles with the King on Queen Anne's death, 324; opinion as to hostile intention of the Spaniards, 325; priory of Hadington conferred on his son, 325, 326; created Earl of Melros, 327.

Birsay, 149, 176, 186, 188.

Bishops' Act approved by the Lords of Articles, 16, 17.

Blacader, Laird of, 403; disputes with Lord Walden's tenant as to fishings before Fishewick, 583.

Blackness, Castle of, James Cranstoun confined there, 81; Kelwode warded there, 126; Sir James M'Coneil confined there, 131; William Rig warded there, 573.

Blaklandis, 257.

BLANTYRE, LORD, 162, 400; removed as an extraordinary Lord of Session, but appointed to a supernumerary place, 297; decease, 283; dispute with Sir James Cleland, 569, 570.

Blaquhan, Laird of, 112, 125.

BOHEMIA, QUEEN OF, praised for her virtues by the Earl of Melros, 379.

Bogy, Laird of, 129, 308.

Bointoun, tutor of, 172.

Bombie, 452.

Bonnytown, 356.

Boots and shoes, high price of, 46; measures suggested to remedy this, *ib.*

- Borders, Commissioners of the, 22, 296 ; directions given by James VI. as to, 302 ; commissioners summoned, 547 ; meeting of, 554, 555 ; proposal to disarm the inhabitants of, objected to by Privy Council, 557.
- Bothuil, see Bothwell.
- BOTHWELL, EARL OF, 140, 370, 550.
- Bowye, Sir Andrew, death of his sister the King's laundress, 292 ; craves that the place be given to his wife, 293.
- BOYD, LORD, complained of by Sir James Cleland, 569 ; offers to submit disputes, 570.
- Boyde, Mr Robert, charged to compare before Privy Council, 563 ; his petition is remitted to the King, 564, 565.
- Boydkin, 451.
- Boyl, Archibald, 561.
- Brae of Mar, 473.
- Brackinsyde, 451.
- BRECHIN, BISHOP OF [Andrew Lamb], about to repair to Court, 104.
- , city of, to furnish provisions for his Majesty's reception, 289.
- Brederode, Mons^r., 334, 335.
- Bredick, 594.
- Brimstone, privilege to make, to be granted to a Fleming, 89.
- Broadhavin, 369.
- Broughton, 105, 140, 193, 251, 255.
- , Lady, proposes to go to Court, 251.
- Brown, Gilbert, search for him, 118.
- Browne, John, 129.
- , William, 237, 317.
- Bruces, Alexander, Colin, and Patrick, pursued for assisting the Clangregour, 6.
- Bruce, Alexander, banished, 450.
- , Sir George, proposes to put up beacons on the blind Craigs of the Forth, 400, 401 ; obtains grant of fines of exporters of gold and silver, 442, 443.
- , LORD, present at funeral of James VI., 590.
- , Mr Robert, written to for his resolution in the matter of Gowry, 32 ; returns answer, 33 ; craves relief from ward, 431, 432 ; great age and infirmity, 444 ; confinement in Inverness, 445.
- Brunthils, 257.
- BUCCLEUGH, EARL OF, 133, 483, 508, 513, 539, 543, 555 ; affairs with the Viscount of Anand settled, 483 ; attempted to be captured and murdered by the Ellots, 578, 579, 580 ; intercedes for Robert Elliot, 581 ; present at James VI. funeral, 589.
- BUCHAN, EARL OF, present at funeral of James VI., 589.
- Buchane, Margaret, adulteress to Patrick Halcro, 181.
- Buchanan, Sir John, offers forty-five thousand merks for tack of King's rents in Orkney and Zetland, 440 ; his tack-duty thought the fair avail of the lands, 553.
- Buchane-Ness, 129.
- BUCKINGHAM, DUKE OF, 544 ; unwell, 560 ; Lord Nithsdale wishes his Grace's letters sent to his wife to comfort her, 561.
- , MARQUIS OF, confers favour on the Earl of Melros, 525.
- Bugcleuch, see Buccleugh.
- Bulmer, Sir Bevis, proceedings as to gold mines in Scotland, 35, 36, 37, 38.
- Buquhannan, see Buchanan.
- Burdeaulx [Bourdeaux], red herring exported from Dunbar to, 263 ; Scotch factors there, 406.
- Burgundy, treaties with, transmitted by Sir David Foulis, to be kept amongst Records of Scotland, 334.
- Burke, Myles, seizes the Peragon of Leith, 368, 369.
- , Phillip, 369.
- , Sir Tibold, 369.
- BURLY, LORD, 74.
- Burnet, Robert, 508.
- , Laird of Leys, examined, 14.
- Burntisland, arrival of Spanish ship at, 159, 160 ; disturbance there, 207, 208, 209, 210.
- Burrows, Commissioners of, dispute with the Duke of Lenox as to the assise-herring of the North Isles, 129, 130, 131 ; Convention of, to be held at Haddington, 328.

Buskins and gloves sent by Viscount Annand to
Earl of Melros, 497.
Butlair, George, 261.

Button, Captain of the Phoenix, 598, 599, 600,
602.

C.

CADDLE, see Cadell.

Cadell, Laird of, feu of Ila offered to him, 170;
undertakes recovery of Duneveg, *ib.*; con-
ference with Privy Council, 178, 179; to
present Angus Oig before Chancellor, 202;
rebels propose to destroy his lands, 212;
commission given him by Argyle, 240.

Cairstoun, 151.

Caithness, 408, 409, 410, 479; almost as bar-
barous as the Highlands or Isles, 408.

———, BISHOP OF [Alexander Forbes], 108;
present at the investigation of the charges
against the Parson of Dysart, 195.

———, EARL OF, narrative of his proceedings
against the rebels of Orkney, 143, 144, 145,
146, 147, 148, 149, 150, 151, 152, 153, 154,
155, 156, 157, 158, 174, 175, 176, 177, 181,
182, 183, 184; promises to go against the
rebels in the Isles, 595; his warrant as a
Privy Councillor hurried, 163; blamed for
negligence, *ib.*; conference between him and
Robert Stewart, 182, 183; hangs several
rebels, 183; promises Patrick Halcro his life,
ib.; articles sent by him to Lord Binning,
185, 186; Mr William Watson examined be-
fore him, 208; letter from Sir James M'Co-
neil to him opened, 213; rebellion of, 407,
408, 409, 410, 411.

Calder, Kirk of, 569.

Calder's men, expelled, 221.

Camis, Isle of, rebels stop there, 215.

Campbell, Archibald, 107, 170, 187.

———, Archibald, overture for pacification
of Highlands, 122, 123; undertakes to bring
a stranger for making red herrings, 123;
craves pension of the assise-herring of the

West Sea, 124; account of pursuit of M'Co-
neil and M'Ranald, 211, 212, 228; letter
from Lord Binning to him, 238; his answer,
239; letter, Lord Binning to him, 241; jour-
nal of Sir Oliver Lambert's proceedings against
the rebels in Isla, 596 to 608.

Campbell, Colin, of Kilberrie, 236, 244.

———, Duncan, hurt, 450.

———, Duncan, Moyll, apprehended, 535.

———, Sir John, 246.

Campbeltoun, 249.

Canaryes, 368.

Car, Sir Andro, 253.

Carlisle, 299.

———, EARL OF, appointed a Commissioner to
treat upon the matter of the Wool, 501, 505.

CARNEGIE, LORD, 290; concurs in contribution
for Palatinate, 379; consultation with Arch-
bishop of St Andrews as to putting down
opposition to Church Articles, 425; recom-
mended by the Earl of Melros, 453; Privy
Council recommend him to the King as Com-
missioner for Duke of Lenox, 593.

Carrick, Bailliary of, 233.

Carsane, John, breaks his leg, 137.

Cart, pearls found in the Water of, 446.

CASSILIS, EARL OF, craves his liberty, 4; pur-
sued by Kelwode, 103; decret against him,
112; raises action against Kelwode, *ib.*; pro-
ceedings therein, *ib.*; prosecutes M'Ilvane,
ib.; further proceedings against Kelwode,
125, 126; offers to put down rebellion in
Orkney, provided the rebels were assured of
their lives, 155; renunciation of Bailliary of
Carrick, 233.

Castlemilk, 510, 542, 545, 548.

- Castle-Sinclair, 143, 180, 183.
 Catechism, General, ordered, 297.
 Cathcart, Mr Robert, examined, 13.
 Caytmer, Rees, 44.
 Chalmers, William, 428.
 Chamberlain, Lord [Ludovic, Duke of Lennox], recommends the Isles to be feued, 170.
 Chambers, William, Treasurer-Clerk, present at funeral of James VI., 590.
 Chancellor, Lord, see Earl of Dunfermline and Sir George Hay.
 Chapel-Tower, 147.
 CHARLEMAGNE, EMPEROR, 379.
 CHARLES I., KING [when Prince of Wales], his journey to Spain, 506; journey forbidden to be noticed by clergy, 507; James Scot appointed by him to manage his affairs in Scotland, 531; letter from Privy Council to him as to lamentable fire in Dunfermline, 567; Lord Lorn recommended to him by the Privy Council, 591; letter, Privy Council to him as to the Duke of Lennox, 592.
 Charletoun, William, two cows and an ox stolen from him by Robert Elliot's servants, 580.
 Chesholm, John, Comptroller of the Ordinance, 259.
 Chipseis, 580.
 Church Articles allowed by the Lords of Articles, 423; certain objectors to them proposed to be punished, 424.
 Churches, Parliamentary Commissioners for plantation of, convene, 257; proceedings of, 258; tumult against the Dunkirkers stirred up in, 522.
 CLANBEWYE, LORD, 556.
 Clandonald, spoil the boats of the Bishop of the Isles, 165; take the Bishop's son and nephew, 166; act as spies, 228.
 Claneane [Clan Ian, Macdonald], Lord Lorn puts down the rebels of, 591.
 Clangregour, assisted by Alexander, Colin, and Patrick Bruce, 6; reduced situation of the Clan, 98, 99; proposal to transport the children of the Macgregours south of the Forth and Clyde, 98; objected to by the Privy Council, 99; ordonance for disarming the Clan, 100, 101; proceedings against, 107; surety for Cole Makgillespik, 204.
 Clanronald, Captain of, 216, 217, 228.
 Cleland, Sir James, complains against Lord Boyd, 569; refuses to submit, 570.
 Clergy, Scots, poverty of, 301; provision for them, 301, 302.
 Cliddisdaill, ministers buried quick there, 273.
 CLIFFORD, LORD, 339.
 Clockreoch, 257.
 Closborne [Closeburn?], 542.
 Closeburn, Laird of, appointed Sheriff of Dumfries, 107.
 Coal, Scots, permitted to be imported into England duty free, 338, 343.
 Coal-Heuch, owners of, agree at their own expense to put beacons in the Forth, 400, 401.
 Cochrane, James, 474.
 ———, William, 474.
 Cockburn, Sir John, Lord Justice Clerk, very infirm, 484; dies, 485.
 Coill [Coll], Laird of, 216, 218.
 Coin, prejudice done to Scotland by the exportation of, 283; proclamation as to, 340; proposed introduction of foreign coin, 362; value of foreign coin, 372.
 Coinage, new, objected to, 340; copper coinage craved by Privy Council, 527, 528.
 Cokbruuspeth [Cockburnspath], Thomas Nicholson wishes to be postmaster of, 494.
 Cokpule [Murray], Laird of, wishes Commissionarship, vacant by death of Sir David Murray, 127; warrant granted to him to receive keys of Castle of Dumfries, 128.
 Coldingham, Priory of, 371.
 Coldness, extreme, in February 1623, 497.
 Colhart, George, acquitted, 452.
 Collinsay, 204, 220.
 Collinson, 229.
 Colville, Alexander, Justice Depute, letter to Viscount of Annand upon appointing a successor to Lord Justice Clerk Ormiston, 484; thanks his Lordship for using his influence for Sir Archibald Naper, 551; complains he

- has only five hundred pounds salary as Justice Depute, 552.
- COLVILLE, LORD, proposes to go to France to re-establish Scottish Guard, 503, 504.
- Commissioners for Borders appointed, 22; for plantation of kirks, &c., 302; English and Scots Border ones to meet and take measures for suppression of current evils, 339.
- Communion, celebration of, proclaimed at Cross, 585.
- Confession of Faith upon good grounds alterable, 413.
- Congilton, Laird of, 529.
- Conhaith, 85, 542, 543.
- Constantinople, loss of, 413.
- Corne, Rory, 369.
- Corn, duty imposed upon importation of foreign, 320, 321; superabundance of foreign, 562, 563.
- Cornetoun, rents claimed by relict of William Murray, 313.
- Corrie, David, brother to Kelwode, 125.
- Corsan, John, quarrel with Robert Makbrare, 432, 433.
- Coryphen, 452.
- Council day once every week, 20, 22; prevented by the plague, 23.
- Cowhill, slaughter of Laird of, 118.
- Craig, Sir Lewes, Mr Thomas Henderson admitted judge in his place, 453.
- , Mr Thomas, works praised by Privy Council, 43; his wife and family recommended to the King's favour, *ib.*; the King solicited to further the impression of his works, 44, 84; poems by him on the Queen and Prince Henry, 84.
- Crail fishermen forbidden to fish off the Feroe Isles, 304.
- CRANSTOUN, LORD, 80, 81, 82, 290; quarrel between his second son and Sir Gedeon Murray's son brought before Privy Council, 80; denies having instigated the quarrel, 81, 82; present at meeting of Commissioners of Middle-shires, 555.
- Cranstoun, James, banished, 82, 83.
- CRAWFORD, EARL OF, likely to be free of ward, 97; advised by young and evil disposed persons, *ib.*; recommended by Sir Thomas Hamilton that he should find caution, *ib.*; letter from Sir James M'Coneil to him, 213; order taken for his transport, 284.
- , MASTER OF, search made for him, 32.
- Crawfurd, Captain, shot, 601.
- Crawfurd-muir gold mines, 36.
- Creichtoun, Robert, 525.
- , Thomas, 134.
- , William, controversy with Lord Sanquhar's [bastard] son, 127, 132, 133, 264, 265.
- Criminal Judicature, proposed reformation of, 284.
- Cross of Edinburgh, visit of James VI. proclaimed there, 288; communion proclaimed there, 585.
- Cruikshank, 233.
- Cultmalundie, feud with Monyvaird, 449; ruined, 450.
- Cumlege, Laird of, his appointment as Sheriff-Depute of the Merse objected to by Home of Renton, 268.
- Cuninghame, Sir James, his proposition concerning the Indian Company, 284.
- Cunningham, Adam, 220, 253.
- , bailliary of, 525.
- Customs on cattle passing between the two kingdoms, 86; roup of, 295; collected, 302.
- , taxmen of the customs claim a deduction, 29; cited before Privy Council, *ib.*; agreement between them and Lord Scone, 69.
- Cwningham, see Cunningham.

D.

- DALZELL, James, 571.
 Danskene, corn brought there cheap, 320.
 Dantish, 151.
 DAVID II., ransom of, 422; value of a mert in his days, *ib.*
 Deassau, Valentyne, Captain of a Holland ship, 527.
 Deip [Dieppe], red herring exported from Dunbar to, 263; Scotch factors there, 406; James Hope, a merchant there, 546.
 Demayneholme, 578.
 Denmark-House, 561.
 ———, KING OF, 304, 323.
 Derry, burning of, 44.
 Dick, William, to lend John Murray eleven thousand merks, 137; vessels freighted with white victual by him and William Wilkie, captured by Dunkirkers, 562; representation to the King by the Privy Council on the subject, 562, 563.
 Dippline [Dupplin?], 291.
 Douglas, Alexander, sells his office of Sergeant at Arms to Richard Hall, 345; transaction informal, 345, 346.
 DOUGLAS, EARL OF, Lord Mar renounces his right as heir of, 463.
 ———, James, 107, 267, 294, 303, 304, 341; letter from Lord Binning to, 303; copy of Ross' process sent him, 316; letter from Lord Binning to him as to supposed murder in Galloway, 317; writes letter to Lords Chancellor and Secretary announcing Prince Charles' journey to Spain, 506.
 ———, Sir James, suit between him and Lord Herries, 72, 73.
 ———, James of Torthorwall, finds caution to underly the law, 7; murdered by William Stewart, 51.
 ———, James, servant of Loch-hous, fugitated, 451, 538.
 Douglas, Richard, 295.
 ———, William, 530.
 Doundie, see Dundee.
 Doward, M'Lean of, 216.
 Dowglen, 452.
 Dowie, James, Drumlanrick's bond given to him, 253.
 Drimsleit, 546.
 Drum, Laird of [Irvine], feud with the name of Forbes, 119; will give no satisfaction to the Lords Chancellor and Secretary, 333, 334.
 Drumpfries, see Dumfries, 451.
 Drumlangrick, young, reconciled to Kirkmichel, 89.
 ———, 299, 472, 538, 542.
 Drumlanrik, Laird of, his bond delivered to James Dowie, 253; uses caption against Wamphrae's brother, 455; answer to Earl of Nithsdale, 542.
 Drummond, Sir Alexander, dies, 335.
 Drummorrell, 105, 139, 249, 250.
 Drusus, 378.
 Duel between James Cranstoun and Sir Gideon Murray's son prevented by Privy Council, 80, 81, 82, 83.
 Duff, George, writer, 474.
 DUNBAR, EARL OF, recommended by Privy Council to James VI., 8; procures the conviction of Mr John Forbes, &c., 10, 11; presents letter to Privy Council, 21; gives Sir T. Hamilton the resolutions of the civilians, and directs proceedings in Balmerino's case, 66; solicits the Lords of Articles and Privy Council in the process against Restalrig, 67, 68; letter from Privy Council to him as to charge against Mr John Fairfoull, 74, 75; dies, leaving two daughters, 92; his affairs involved, *ib.*; his journeys to Scotland for reformation of abuses, 274; warrant to the

- Lords of Session sent by him, 279; writs said to be in the hands of his daughters, 433, 434; Drumlanrick's answer to Earl of Nithsdale relative to, 548.
- DUMBLANE [Adam Bellenden], BISHOP OF, present at the investigation of the charges against the parson of Dysart, 195.
- Dumfries Castle, keepership of, vacant by death of Sir David Murray, 127; warrant granted to deliver keys to Laird of Cokpule, 128.
- , Laird of Closeburn appointed sheriff of, 107.
- , Commissars of, 543.
- , town of, riot there, 119; name of Maxwell respected there, 433; persons declared fugitives from the Justice Court held at, 451; riot there between the Maxwells and Johnstones, 510, 511; dispute in Court at, 539; Justice Court proclaimed there, 544.
- Dunavaig, taken by rebels in Islay, 164; loss of it attributed to the negligence of the keepers of Bishop of the Isles, 165; Bishop attempts to recover it, 165, 166; formerly kept by Lord Scone, 166; undertaken to be recovered by Laird of Cadell, 170; Sir James M'Donald denies being concerned in the taking and holding of it, 213; capture of, 220, 221, 222, 223, 224, 235; names of those who betrayed it, 221, 222; offered by Sir James M'Donald to the King, 227; Archibald Campbell's journal as to siege and capture of, 597 to 605.
- Dunbar, red herrings cured there in 1609, 263.
- Dunbarton Castle, M'Coneil escapes from, 22; constables of committed to Edinburgh Castle, *ib.*; captain of, his charges for maintaining Earl of Orkney, 96; his lordship ordered to be removed from, 179, 180; Simpson, the minister of Merton, and Andro Duncan, sent there, 412; they petition to be liberated from, 430.
- Duncan, Andro, sometime minister of Craill, sent prisoner to Dumbarton Castle, for impugning Articles of Perth, 412; petition for release, 430.
- Dundee, 287, 290; a principal sea-port, 78.
- , constable of objects to infestment of Kintyre in favour of the Earl of Argyle's eldest son of the second marriage, 587.
- Dundrennan, sold by John Maxwell to John Murray, 88.
- DUNFERMLINE, EARL OF, Alexander [Lord Chancellor], accused by Mr John Forbes, 13; praised for his great dexterity, 17; refuses to see his nephews, 18; unwell, 103; informs Lord Binning of arrival of Spanish ship at Burntisland, 159, 160; orders the captain, pilot, and surgeon, to be put in prison, 160; thanks John Murray for getting his nephew's claim to the earldom of Eglington allowed, 200; anxious to know who opposed his nephew's claim, 201; explains his dealings with George Grahame to the King, 201, 202; thanks his Majesty for allowing his nephew's claim, 203; acquaints Lord Binning of disturbance in Burntisland, 207, 208, 209; suggests that Mr William Watson should be suspended, 210; lays Sir James M'Coneil's letters before Privy Council, 213; letter from William Haig to him, 255; vindicates himself to the King against charges at instance of James Haig, 260, 261; speech before the Council as to making arrangements for King's journey, 271; proposes that the office of Justice Clerk should not be filled up till the criminal judicature be reformed, 284; account of the progress of James VI. in Scotland, 296 to 303; orders rumoured murder in Galloway to be investigated, 317; transmits list of sheriffs to the King, 332, 333; can get no satisfaction from Irving of Drum, 333; letter to the King as to restitution of Margaret Hairtside, 344; urges Earl of Abercorn and his mother to submit their dispute with Sir George Hamilton, 363; eloquent oration on the King's demand for a contribution for the Palatinate, 377; consults with Earl of Melros and Archbishop of St Andrews, 394; speech upon

opening of Parliament, 162, 415, 416; obtains resolution for general taxation, 421; speaks with Marquis of Hamilton as to commission issued by the King, 428; falls sick, 454; gets worse, 455; hope of his recovery, 456; dies, 460; conduct praised by Privy Council, 477, 478; copy of his alleged instructions to Grahame, 605.

Dunfermline, lordship of, 364.

———, town of, dreadful fire there, 565, 566, 567, 568; case of the sufferers represented to the King and Prince Charles, *ib.*

Dunglas, 290; visited by James VI., 299.

DUNKELD, BISHOP OF [Alexander Lindsay], present at examination of charges against the parson of Dysart, 195.

Dunkirk vessel, beats off two Dutch wachters in Leith Roads, 457; captain of refuses to liberate his prisoners, 488, 489; proceedings before Privy Council relative to, 497, 498, 499; endeavours to quit Leith Harbour, 512; obliged to return, *ib.*; tries to get out again

by night tide, but strikes on a rock, *ib.*; pilot on board murdered, *ib.*; fired at by the Holland vessel, *ib.*; crew leave the vessel and get to land, but are robbed and ill-treated by the Leith people, 514; property ordered to be restored, *ib.*; orders given to bring the vessel into the harbour, 515; burnt by the Hollanders, 518; report by Privy Council on the affair, 534; letter by Privy Council to the King, 540; and to Lord Chancellor on the subject, 548, 549.

Dunkirkers, capture two Scotch vessels freighted with white victual, 562; representation by the Privy Council to the King on the subject, 562, 563.

DURIE, LORD [Senator of College of Justice], recommended by Earl of Melros, 453; appointed by the King to plead in the case of Lord Mar against Lord Elphinston, 463; objected to by Lords of Session, 464.

Dysart, Parson of, see Mr William Murray.

E.

EARL'S-FEES, 286.

Easter-day, Lords of Session communicate on, 331.

Edinburgh, burgh of, complained of by the barons of Lothian, 58; council of informed of the gift of impost of the taverners in Leith to Bernard Lindsay, 102; grants to town of, 104; sends John Hay to London, 234; the ordinary place of daily fights, 273; merchants waylaid on the way to Leith, *ib.*; King's visit proclaimed at cross of, 288; skipper from the Low Countries committed to Tolbuith of, 295; King makes his entry, 299; manufactures of cloth and other stuffs projected there, 366, 367, 386, 387; compounds for taxation, 436; inhabitants censured for violent conduct, 534; Privy Council report that they do not think that the burgh can be compelled to try those that plundered the Dun-

kirkers, 522; search for conventicles there, 584.

Edinburgh Castle, 188; victual payable to by Archbishop of St Andrews, 269; artillery, sails, &c. of the Royal Charles to be deposited there, 329; Langton sent there, 413; cannon transported thence to Leith, 514, 515.

———, magistrates of, required by the King to wear scarlet gowns, 348; they object, as they were provided with black gowns lined with velvet, 349; go to church every Sunday in black gowns, 350; disputes with William Todrig as to making red herrings, 350; produce patent anterior to his, 351; refuse to guard the cannon at Leith brought from the Castle, as it was beyond the bounds of their jurisdiction, 515; conduct palliated by the Earl of Melros, 516, 517; thank Vis-

- count Annand for his favour, 519; protest by them, 522; report by Council as to their conduct in the matter of the Dunkirk ship, 534; letter from the King delivered to them, 548.
- Edinburgh, provost of, has no place in the Parliament House, 349; his wearing a gold chain objected to, *ib.*; letter to him from the King, 389.
- Edmiston, 106.
- Edwards, Nathaniel, 545.
- Egg, Isle of, 215, 218.
- EGLINTON, EARL OF, title assumed by Sir Alexander Seton, 113; entail by former earl, 114, 115; claim allowed, and investiture of earldom delivered by Lord [Secretary] Binning to, 199; present at funeral of James VI., 589.
- , House of, feud with Earl of Glencairne, 17.
- Eglislaw, 439.
- Elfinston, 284, 473.
- Elgin, burrow-mails of, claimed by the Earl of Murray, 101.
- Ellot [Elliot], Hector, in Rig, acquitted, 452.
- , Gib, called the tutour, proposes to murder the Earl of Buccleugh, 578, 579, 580.
- , Gawane, deemed a feeble couter, 578, 579.
- , Robert, said to have been calumniated by Sir Gideon Murray, 138; attempts to capture and murder the Earl of Buccleugh, 578, 579; his depositions, 578, 579; admits stealing six cows from Master Heron, 580; Privy Council communicate to the King proceedings against him, 581, 582; the Earl of Buccleugh intercedes for him, 581; his accomplices banished, *ib.*
- Elphinston, Sir George, 544; present at funeral of James VI. as a Scotch Privy Councillor, 590; Commissioner for Duke of Lenox, 592, 593.
- , Lord, 95; appointed extraordinary Lord of Session, 279; intrusions with the Earl of Gowrie's effects, 308; procures patent for his relation Peter Elphinston under the Great Seal as to his descent, 354; law-suit between him and Lord Mar delayed, 463.
- ELPHINSTON, MASTER OF, 284.
- , Peter, pedigree questioned in France, 384; James VI. requested to order his Ambassador to remonstrate on the subject, 385.
- Elsinure, 323.
- English noblemen, gentry, and clergy, who accompany James VI., express themselves gratified with their reception in Scotland, 300; several of them made Privy Councillors in Scotland, 301.
- ERROL, EARL OF [Andrew], money of his said to be received by the King, 305.
- , ——— [Francis], in ward, 47, 56; actions brought against him, 71, 72; required to produce the Laird of Geycht before Privy Council, 119; decret-arbitral between him and Marquis of Huntly, 128; desired to bring brother of Brunthil's before Council, 257; permission granted to him by the King to accept of satisfaction for the wrongs done to him, 281; to attend James VI. to Dundee, 290; consents to registration of decret-arbitral, 296; agreement with Marquis of Huntly, 296, 297; money received by Sir Robert Melvil from him, 305; concurs in contribution for Palatinate, 378.
- Erskin, Sir George, obtains gift of the Earl of Argyle's liferent of Jura and Colensa, 204.
- , Lord, admitted Privy Councillor, 256; present at funeral of James VI., 589.
- Estates of Parliament, private meeting of the censured, 424, 427.
- Ettrick Forrest, lordship of, 364.
- Eythen, search for pearls in water of, 446.

F.

FAIRFOULL, Mr John, to be examined for praying for the banished clergy, 74, 75.

Falkirk, 180.

Falkland, 287, 290.

——, Viscount, his daughter marries the Earl of Home, 403.

Fang, thieves apprehended with, the mode of trial of, 557.

Faraw, see Feroe.

Farmers complain that the merchants, by importing foreign corn, undersell them, 320.

Fast Castle, wished to be retained by the Earl of Home, 371.

Fenton, John, Comptroller Clerk, present at funeral of James VI., 590.

——, Viscount, 100; present at funeral of James VI., 589.

Ferniherst acquires the Temple Lands in Roxburgh, 163.

Feroe, fishing of, 304; supplication by inhabitants of, *ib.*

Fife, 299, 308, 367; order taken with beggars in, 308.

——, sheriff of, 290.

Findone, customs on the waters of claimed by the Earl of Murray, considered by Privy Council, 101, 135, 136.

Finlasoune, John, sheriff depute, unpopular in Orkney, 176, 177, 186, 189.

Fishewick, 583.

Fishing, Hollanders claim right of, 130; objected to by some of the Fife burrows, 304; ordered

to be stopped by the King, 306; report by Privy Council on the subject, 306, 307.

Fleming, a, obtains privilege for thirteen years of making brimstone, vitriol, and allum, 89.

——, Lord, 15, 215; admitted Privy Councillor, 256.

Forbes, feuds between clan of and Laird of Drum, 119.

——, of Blacklands, liberated, 257.

——, Mr John, convicted, 11; procedure against him detailed, 13, 14, 15.

Forfar, 290, 291.

——, sheriff of, 291.

——, magistrates of, ordered to furnish necessaries for men and horse upon occasion of King's visit, 291.

——, town of, 291.

Foulis, Sir David, sends principals of treaties with Burgundy, to be kept with records of Scotland, 334.

——, Thomas, 105; unsuccessful in his application at Court, 106.

Foullis, George, master of the mint, 368.

Forres, burrow-mails of, claimed by the Earl of Murray, 101.

Forrest, sheriff of the [Ettrick], negociation with him to surrender his sheriffship, 203.

France, troubles increase there, 237; dearth of wines there, 295.

Fugitives from trial, measures for their apprehension, 556.

Fyffe, see Fife.

G.

- GAIRLIES, LORD, 191, 193, 317; commission to him to try a thief apprehended by him with the fang, 557.
- GALLOWAY, BISHOP OF, agrees to settle Murray of Lochmaben's teinds, 139, 140; foundation and register of Chapel Royal to be delivered to him, 191; expected to attend general meeting of bishops, 193; stayed by the storm, 198.
- , ministers murdered there, 273; supposed murder there, 317; results of investigation on the subject, 318, 319; pearls found in waters of, 446.
- , Mr Patrick, 326.
- , sheriff of, 317, 318.
- Gararie, 353, 359.
- Gardner, James, 180, 259; claims Controllorship of Ordinance, 259, 260; accused by Sir Gideon Murray of being a debauched drunkard, 260.
- Germanicus, 378.
- Geycht, Laird of, 118, 257, 259, 281, 282.
- Gichane, Isobel, 474.
- , William, pursues his wife for divorce, 474.
- Gibson, Sir Alexander, Lord Durie, 453, 463.
- Glasgow, 214, 276.
- , ARCHBISHOP OF [John Spottiswood], 57; fearful that letters have miscarried, 106, 107; endeavours to reconcile Sir James Skene with his father and brother, 128; price of an office to be settled upon his return, 138; his concurrence asked to except certain teinds, 191; arrival uncertain, 193; proposed to succeed to Archbishop of St Andrews, 194, 196; present at the examination of the charges against the Parson of Dysart, 195; [James Law], Commissioner of the Isles, 243; informed by Lord Binning of Queen's death, &c., 325; sick, 377; intimates illness of Mortymer, the Jesuit, 476; consents to Patrick Walkinsha's surrender of the titularity of the teinds of Monkland and Calder to Lord Boyd, 569.
- Glasgow, merchant ship arrives from, arrives at Kirkwall, 151; supplies of ammunition obtained from, 151, 152; King passes through it on his return to England, 299; town of wishes to compound taxation for Palatinate, 438.
- Glass manufactory established by Sir George Hay, afterwards Earl of Kinnoul, 337, 342; proposed by Privy Council that the produce should be allowed to be imported into England duty free, 338, 342.
- GLENCAIRNE, EARL OF, James, proceedings against him stopped, 2; assaulted by the Setons, 17, 18.
- Glengarie, 215, 236, 248; his second son captured by rebels, 215; troubled by law-suit with Lord Lovat, 219; brother returns to his own country, 236.
- Glengarnok, Laird of, undertakes plantation of Ireland, 171, 172.
- Glenurquhy, 100, 536.
- Gloves and buskins sent by Viscount Annand as a present to the Earl of Melros, 497.
- Gold found in regality of Lincluden, 138; exportation of punished, 442, 443.
- mines, 35, 36, 37, 38, 39, 40.
- Gordon, Alexander, 560.
- , Sir Alexander, 446.
- , of Lentush, John, petitions Privy Council, 128.
- , LORD, promises to answer for Geicht's conformity, 258; wishes tack of Orkney, 365; conjoined in commission with Sir Robert Gordon to put down the Earl of Caithness, 410; commission expedite in his favour against Alan Makildowie, 429; present at funeral of James VI., 589.

Gordon, Patrick, mode of adjusting his charges for procuring execution of Stercovius, 100.
 ———, Sir Robert, commission in his favour to put down rebellion of the Earl of Caithness, 408, 409; Lord Gordon joined with him in it, 410; commission to him to search for pearls in Sutherland, 446; security in his favour, 530.
 Gorme of Sleat, Donald, 165, 215, 216, 218, 228, 229, 396.
 Gowns, the magistrates of Edinburgh charged to wear scarlet, 348; object, *ib.*; prefer black ones lined with velvet, 349.
 GOWRY, EARL OF, 308.
 ———, matter of, 32; treason of, 502.

Grahame, George, 200; Lord Chancellor's traffic with him, 201, 202, 209; copy of his instructions, 605, 606, 607.
 ———, Robert, fugitated, 451.
 GRAY, LORD, to receive three thousand pounds sterling for his sheriffship, 304.
 Grymmett, 112, 125.
 Guard, Scottish, 503, 504.
 Guld, John, surrenders kirk and steeple of Kirkwall upon condition of pardon, 148.
 Guns and pistolets, wearing of them punished, 119.
 Gygay, Donald, commander of the Isle of Jura, 597.

H.

HADDINGTON, burgh of, disobeys the King's orders as to election of provost, 56.
 ———, priory of, gifted to Lord Binning's son, 325.
 ———, town of, convention of burghs to be held there, 328.
 Haig of Bemerside, James, complains to the King of partiality of the Chancellor and Secretary, 260; explanations by them to the King, 260, 261.
 ———, William, letter to Lords Chancellor and Secretary, 255.
 Hairt, Sir William, his absence in England complained of, 52, 53; his decease, 284.
 Halcro, Patrick, offers to surrender, 148; conveyance in his favour by Robert Stewart, 150; Privy Council authorise the Earl of Caithness to spare his life till the King's pleasure be known, 155; bond to him, 175; confined in Castle Sinclair, 180, 183; gets a promise of his life, 183; to be brought to Edinburgh, 186; affection for Robert Stewart, 189.
 Haliday, James, Commissary of Dumfries, 465.

Haliday, John, 253.
 Hall, John, 119.
 ———, Richard, obtains from Alexander Douglas his office as sergeant-at-arms, 345; transaction informal, 345, 346; Privy Council intercede with the King on his behalf, *ib.*
 Halyrudhous, see Holyroodhouse.
 Halywod, 546.
 Hamilton, 299.
 ———, Archibald, 474.
 ———, David, 172.
 ———, Sir George, petitions Privy Council, 180; submission between him and the Earl of Abercorn, 363.
 ———, James, 137, 139, 399, 525.
 ———, of Innerveik, James, married, 168.
 ———, Mr James, Commissary of Lanark, 87.
 ———, John, his residence in Scotland concealed from Privy Council, 119.
 ———, Sir John, a Scotch Privy Councillor, present at funeral of James VI., 590.
 ———, MARQUIS OF, 33; comes to Edinburgh as King's High Commissioner to Parliament, 411, 412; proceedings of, 413, 414,

- 415; speech, 413; punishes some refractory persons who object to confirmation of the Church Articles, &c. &c., 424; consultation with Archbishop of St Andrews, &c. as to putting down opposition, 425; his speech upon termination of Parliament, 426, 427; suspected by Lord Melros of purposely neglecting to write to the King, 428; appointed a Commissioner to treat on the making of the Wool, 501, 505; friendship confirmed between him and Viscount of Annand, 526; present at funeral of James VI., 589.
- Hamilton, Patrick, letters from his brother, Lord Binning, to him, 153, 161, 167, 169, 170; letter from his uncle Sir Gideon Murray to him, 259; to be informed of rumoured murder in Galloway, 318; solicits Viscount Annand to continue his favour to city of Edinburgh, 519.
- , of Priestfield, Sir Thomas, appointed a Lord of Session, 26.
- , Mr Thomas, required to prosecute Sir T. Lyon, 1; summoned to attend meeting for settling the West Borders, 2; ordered to desist from pursuit of the Earl of Glencairne, *ib.*
- , Sir Thomas, summoned to a meeting of the Council in England, 5; letter to James VI. relative to the criminal proceedings against Mr John Forbes, Welsh, and other ministers, 10, 11; praises Earl of Dunbar for influencing the judges and jury, 11, 12; writes to the King relative to the regality of St Andrews, 23, 24; advises Sir John Skene to delete certain grants from his book of antiquities, 25; thanks the King for appointing his father a Lord of Session, 26; his account of the proceedings of Sir Bevis Bulmer, 35, 36, 37, 38, 41, 42; required to desist from pursuit of Sir Patrick Home, 62, 63; informs the King of the proceedings against Lord Balmerino, 65, 66, 67; and against Lord Maxwell and Logan of Restalrig, 67, 68; thanked by the King for his zeal and ability, 70, 71; instructed to enter appearance in suits against the Earl of Errol, 71, 72; required by the King to bring suits between Lord Herreis and Sir Robert Douglas and James Maxwell to a speedy issue, 72, 73; thanked by the King for his dexterity in Parliament, 73, 74; desired to proceed against young Drumlangrick, 89; ordered to propose nullity against Andrew Henderson's pension, but to take bond from Lord Scone to pay Henderson five hundred merks per annum, 90, 91; suggests that before the Earl of Crawford be freed of ward, he should, from his being subject to evil advisers, be ordered to find caution, 97; remonstrates with the King as to the remission granted to Robert Abroche, *ib.*; informs the King of the miserable degradation of the Clangregour, 98, 99; proposes to the King that a larger allowance be given to the Earl of Orkney, 100; letter to the King as to Lord Murray's claims to the customs of the Spey, Findone, and Lossie, 101, 102; letters to John Murray, 105, 106, 107, 120, 121; desired by the King to consider an overture for the pacification of the Highlands, 122, 123; proposal as to curing red herring remitted to him by the King, 123, 124. See Binning.
- Hammiltoun, see Hamilton.
- Harden, 356, 429.
- , Goodman of, appointed sheriff of Selkirk by the King, 429; can neither read nor write, 430; objected to on this account by the Privy Council, 430.
- Hardincaple, see Ardincaple.
- Hariot [Heriot?], George, in fear of Earl of Nithsdale, 544.
- Harkness, Alexander, deadly hurt, 510.
- Harris, see Herreis.
- Hartsyde, Margaret, opinion of Privy Council how far her crime punishable, 49; proposed sentence on her, 50; restored to her fame by recommendation of the King, 344.
- Hautain, Mons^r. de, 458.
- Hay, Sir Alexander, 55, 56, 64.
- , Francis, 399.
- , George, petitions the King for money said to be received by him belonging to his

- father, Andrew, Earl of Errol, 305; report by Privy Council on his claim, *ib.*
- Hay, Sir George [afterwards Earl of Kinnoul], sets up manufactories of iron and glass in Scotland, 337, 343, 344; informs Sir William Keith, that upon certain conditions the diligence against him would be suspended, 479; the Prince's journey to Spain announced to him, 506; letter to the King, 511; orders given by him to warn the Hollanders' vessels not to meddle with the Dunkirk one in Leith Harbour, 513; goes himself to Leith, *ib.*; unable to prevent the robbery of the Dunkirk sailors, 514; watches all night, 514, 515; comes again to Leith, 516; letter from Privy Council to him retative thereto, 548; present at funeral of James VI., 589.
- , John, sent to London, 234; a Commissioner to treat on the making of the Wool, 501, 505; Clerk to the city of Edinburgh, 512.
- , Lord, claims the privilege of guarding the Parliament, 413.
- , Margaret, petitions the King for money belonging to her father, Andrew, Earl of Errol, 305; report by Privy Council on her claim, *ib.*
- , Robert, patent to be expedite in his favour for making of red herring, 262.
- Hayning, William, 546, 548.
- Henderson, Mr Thomas, promoted, 453; letter to John Murray, 465, 466; thanks Viscount Annand, 471, 472.
- HENRY, PRINCE, attempted to be taken from the charge of the Earl of Mar, 3.
- Henrye, Adam, executed, 452.
- Henryson, Andrew, pursues Lord Scone, 91; an annuity offive hundred merks to be paid him on Lord Scone's bond, 91. See Henderson.
- Hepburn, George, 529.
- Heralds, fees claimed by, 286.
- Heriot, George, complains of tacksmen of the customs, 34. See Hariot.
- Herodian, 379.
- Herries [Harris], 165, 214, 218, 224.
- , Lord, suits between him, Sir Robert Douglas, and James Maxwell, 72, 73.
- Herring [Assise], claimed by the Duke of Lenox, 129.
- , fourteen lasts of, paid as tack-duty by the Earl of Argyle to the King, 124.
- , red, 123, 262, 263; cured in Dunbar in 1609, 263, 350, 351.
- Herron, Master, in Chipseis, his cows stolen by Robert Elliot, Gib Elliot, and others, 586.
- HIERON, KING OF SICILY, 377.
- Hietas, 452.
- Highlands, commission by King James VI. for pacifying the, 122, 123; state of, 232; description of wretched state of, 273.
- HOLDERNESS, EARL OF, 502, 503.
- Holland wauchter's engagement with a Dunkirk ship in Leith Roads, 457; further hostilities prevented, 458; various particulars as to, 468, 469; required by Scotch Privy Council not to molest the Dunkirk ship, 488, 489; refused, 489; summoned by heralds, 490; proceedings before Privy Council relative to, 497, 498, 499; fire upon and ultimately burn the Dunkirk ship, 513, 514, 515, 516, 517, 518.
- Hollanders claim liberty of fishing off Scots coast, 130; objected to by some of the Fife burrows, 304.
- Holyroodhouse, 284; chapel of rebuilt and furnished, 298.
- , palace of, James VI. arrives there, 299.
- HOME, COUNTESS OF, 370, 550.
- , EARL OF, 140, 268, 289; ordered to meet James VI. and convey him to Dunglass, 289, 290; King visits him, 299; articles agreed between him and John Steuart, 370; marriage, 403, 404; objects to presentation to George Quhytehead of lands of Northfield of Coldingham, 550; appointed by Privy Council to give in his reasons in writing, 551; present at funeral of James VI., 589.
- , Sir George, 433.
- , Sir Patrick, 62, 63.
- , of Renton, Alexander, 92; objects to Laird of Cumlege being sheriff of the Merse, 268.

Home, Robert, 495.

Hoome, see Home.

Hope, James, brother to Sir Thomas, fifty merks worth of gold thread taken from him, 546.

— [Sir Thomas], a learned and experienced lawyer, retained by Margaret Hartsyde, 50; to settle transactions between John Murray and John Maxwell, 87, 88, 433, 434; opinion taken, 250; deals for Earl of Caithness, 428; consulted as to Lord Mar's renunciation, 456, 463; spoken to as to Lord Annand's decret against Captain Johnston, 495; declines acting for Lord Annand in a process of improbation, 496; cannot get documents from Earl of Nithsdale, 528; assures Lord Melros that Lord Viscount Annand's securities are correct, 530; Lord Nithsdale writes to him, 544; letter by him to Viscount Annand, 545; solicits his Lord-

ship to get his brother James Hope's goods restored, 546; Lord Chancellor to propose his signature to the King, *ib.*; delays finishing contract of excambion, 548.

Huntair, 510.

Hunter, William, 368; killed, 369.

Huntingtour, woods, &c. destroyed, 6; rents of intromitted with, 308.

HUNTLY, MARQUIS OF, 28; in ward, 47, 56; reports that there are no disorders in the north, 119; decret-arbitral between him and the Earl of Errol, 128; desired to bring the Laird of Geicht to Edinburgh, 257; consents to registration of decret-arbitral, 296; agreement with Earl of Errol, 296, 297; Earl of Angus dissuaded from craving vote before him, 376, 381; nature of the claim of Angus, 389.

Hutonhall, Laird of, 403.

I.

ILANOURS, 235.

Inchedaholl, 235.

Indian trade, 335.

Innerary, 548.

Innernock, 233.

Inverness, Mr Robert Bruce confined there, 445.

Inverugie, 317.

IRELAND, conference between Privy Council and Earl of Abercorn, Lord Ochiltrie, and Sir William Seton, as to ports to be assigned for passage between Scotland and, 103; plantation of, 171; Lochinvar acquires Broughton's lands there, 251; Scots merchants complain that their trade is impeded with, 310; representation by Privy Council as to obstacles in trading with, 310, 311; influx of idle persons from, 555; precautions taken to prevent it, 556.

—, LORD DEPUTY OF, application to him

solicited for apprehension of the capturers of the Peragon of Leith, 369.

Iron, manufactory established in Scotland by Sir George Hay, Lord Clerk Register, 337.

— mills, none in Scotland, 61.

Irvine, William, killed, 175.

Irwing, Alexander, in Boydkin, fugitated, 451.

—, Christopher, fugitated, 451.

—, George, executed, 452.

—, Gib, fugitated, 451.

—, Gilbert, executed, 452.

—, John, *alias* Little Boy, fugitated, 451.

—, Ritchie, executed, 452.

—, of Robgill, Jaffray, fugitated, 451.

—, Sir William, 333.

—, of Woodhous, Richard, fugitated, 451.

Islay, forces to assemble there, 48; bishop lands there, 165; offered in feu to the Laird of Cadell, 170; terms offered by the rebels there, 178, 179; inhabitants refuse to pay

- tack-duty, 180; Coill Makgillespik goes there, 217; Sir James M'Donald and he surprise Dunyvaig, 220, 221, 222, 223, 224; inhabitants join rebels, 229; rebels there put down, 233, 236, 237, 238, 239, 240, 241; further particulars, 594 to 607; people all popish there—only one minister in island of, 606; Oe of, 604; rebels' boat sunk there, 606.
- Isles, affairs of, 28; North Isles, *ib.*; West Isles, *ib.*; necessity of expedition there, 45; vessels arrested to transport troops there, 46; North Isles, Assise of herring claimed by the Duke of Lenox, 129; recommended to be feued, 170; proceedings there, 211 to 249; almost subdued, 446; farther particulars, 594 to 607.
- ISLES, BISHOP OF [Andrew Knox], 49; services commended to the King, 53, 54; letter of censure from Lord Binning, 594; writes to Lord Binning, 164; proceeds to the isles, *ib.*; lands in Isla, 165; attempt to obtain possession of Dunyvaig, *ib.*; his boats spoiled by the Clandonald, *ib.*; out-witted by the rebels, 166; his son and nephew taken by rebels, 201; letter from Sir James M'Coneil to him, opened in presence of Archbishop of St Andrews, &c., 213.

J.

- JAMES I., KING, ransom paid for, 422.
- II., grants the Golden Charter to the Bishop of St Andrews and his successors, 24; clauses in, *ib.*; ratified by Parliament, *ib.*
- III., confirms the Golden Charter to the Bishop of St Andrews, 24.
- V., institutes College of Justice, 278; Thomas Scot, Justice Clerk to, 484.
- VI., to Mr Thomas Hamyltoun, 1, 2; summons Sir T. Hamyltoun to England, 4; obtains a subsidy, 19; explanations given by Privy Council for not meeting one day in each week,—as to the increase of Popery,—and to the rumoured discontent at taxation, 20, 21, 22, 23; displeased with Privy Council for putting the Earl of Athol in ward, 30, 31; his order as to election of Provost of Haddingtoun disobeyed, 56; requires Sir Thomas Hamilton to desist from pursuit of Sir Patrick Home, 62; informed of proceedings against Balmerino, 65, 66, 67; against Lord Maxwell, 67; against Restalrig, 67, 68; thanks Sir T. Hamilton for his zeal and ability, 70, 71; instructs Sir T. Hamilton to enter appearance in the actions brought against the Earl of Errol, 71, 72; desires Sir T. Hamilton to bring the suit between Lord Herries and Sir Robert Douglas, and James Maxwell, to a speedy issue, 72, 73; thanks Sir Thomas Hamilton for his ability and dexterity in Parliament, 73, 74; declares the places of the four extraordinary Lords of Session to be vacant, 76; desires the Council to grant privilege of making brimstone, alum, and vitriol, to a Fleming, 89; informed of proceedings relative to Sir A. Seton's assumption of the title of Eglinton, 113, 114; discontent with present government of Scotland, 117; desires Sir Thomas Hamilton and Sir Gideon Murray to consider an overture for pacifying the Highlands, 122, 123; proposals for curing red herrings made to him, 123; remits the proposal to Sir T. Hamilton and Sir G. Murray, 124; rental of the Bishop of Orkney reported to him, 141, 142; unwilling to pardon Robert Stewart, 169; leet of shireffs sent to him, 172; report transmitted as to the adjustment of disputes between the Clerk Register and Mr Alexander Skene, 173, 174; proceedings in the

Isles reported to him, 178, 179; orders execution of Sir James Makoneill to be stayed, 187; solicited by the Lords of Council and Session to alter the time of the sitting of the Court, 191, 192; grants Keepership of the game of Moorerowmond to Sir John Lindsay, 196; objected to by Privy Council, 197; writes Shireff of the Forest to renounce his office, 203; solicited by Privy Council to consider the case of John Stewart, 206; informed of capture of Dunyvaig, 222, 223, 224; of proceedings against rebels, 223; Lord Binning reports proceedings in Scotland to him, 256, 257; Lords Chancellor and Secretary's letter to him vindicating themselves from James Haig's charges, 261; Privy Council write him as to Robert Hay's patent for making red herring, 262, 263; as to Lord Sanquhar's succession, 264, 265; preparations made by Privy Council for the King's reception in Scotland communicated to him, 265, 266; Lord Binning to him on the same subject, 267; debates of Privy Council as to King's visit, 271, 272; his rents bestowed in purchase of Orkney, 274; arrangements for his visit, 281, 282, 283, 284, 287, 288, 289, 290, 291; his stuffs arrive from England, 291, 292; proclamation objected to by some of the Privy Council, 294; his orders relative to the borders give great satisfaction, 296; account of his progress through Scotland by the Earl of Dunfermline, 296 to 303; furniture, silver work, &c. sent by him to Scotland, 299; attends the Court of Session, where several causes are heard before him, 301; Privy Council reports to him upon claim for George and Margaret Hay, 305, 306; orders the fishing of the Hollanders to be interrupted, 306; Privy Council recommend the case of Sir James Weymis to him, 308; complaint made to him by Council that the Scotch merchants meet with improper obstacles in their trade with Ireland, 310, 311; Council report to him as to claim by the relict of William Murray to the rents of Cornetoun, 313, 314; also as to proceedings

against Ross for libel, 314; Lord Binning informs him of trial and sentence, 315, 316; case of Thomas Lotheane represented to him, 322, 323, 324; his Queen dies, 324; offended that the Privy Council have not taken up the matter of navigation and employment of countryships, 327, 328; informed that the Royal Charles is to be displeished and laid up in harbour, 329; informed of Sir James Skene's excuses for not communicating on Easter day, 331; lists of shireffs transmitted to him, 332, 333; informed of the Laird of Drum's obstinacy, 333, 334; receives copy of the treaty of peace with Burgundy in 1551, 334; claims teind and assise from foreign busses, 335; informed of death of Sir Alexander Drummond, *ib.*; solicited by Privy Council to allow Scots glass to be imported duty free into England, 338, 342, 343; requested to order meeting of English and Scotch Border Commissioners, 339; Privy Council remonstrate with him as to new coinage as against treaty of union, 340, 341; applied to by Privy Council to admit Richard Hall as a sergeant-at-arms in place of Alexander Douglas, 345, 346; informed of the proceedings of Privy Council relative to employment of country ships, 346, 347, 348; orders the Magistrates of Edinburgh to wear scarlet gowns, 348; their objections to this, 349; to Provost's wearing gold chain, *ib.*; discussion before Privy Council as to the patents for curing red herring communicated to him, 350, 351; informed of abuses in tanning, 352, 353; of proceedings against the Maxwells of Gararie, 353, 354, 355, 357, 358; orders proclamation to be made against the Scots coming to England to importune and 'fash' him, 358, 359; proposes by his own authority to imprison, 360; explanation given by Privy Council as to supposed contempt of the royal authority, *ib.*; representation to him as to general poverty throughout the kingdom, 361; introduction of foreign coin proposed, 362; informed that the Earl of Aber-

corn and his mother are not inclined to go into submission with Sir George Hamilton, 363; Lord Gordon's proposals for tack of Orkney and Zetland reported to him, 365, 366; the Privy Council return their opinion to him as to introduction of cloth and other manufactures into Edinburgh, 366, 367, 368, 386, 387; seizure of the ship *Peragon* of Leith by Myles Burke reported to him, 368, 369, 370; informed of proceedings in submission by the Earl of Home, his mother, and John Steuart, 370, 371, 372; value of foreign coin reported to him, 372, 373; desires voluntary contribution for the Palatinate, 373, 374; dispute as to precedence between the Earls of Nithsdale and Angus reported to him, 375; proceedings relative to contribution for Palatinate, communicated to him, 376, 377, 378, 379, 380, 381, 382; informed by Privy Council as to investigation of disputes between Pitcairn of Pitlour and Lord Scone, 383, 384; requested to remonstrate with French Court for questioning Peter Elphinston's genealogy, 384, 385; writes Privy Council urging a voluntary contribution for the Palatinate, 387; answer by Privy Council, 387, 388; various matters communicated to him by the Earl of Melros, 388, 389, 390; objects to any taxation, 389; Archbishop of St Andrews to communicate to him the result of the meeting on the subject, 391; informed that meeting of Parliament proclaimed, 392, 393; various suggestions as to proposed taxation made to him by Earl of Melros, 394, 395; diminution of his rents and casualties, 396, 397; Lord Melros mentions error in former letter to him, 397, 398; proposals to erect beacons in the Forth submitted to him, 400, 401; Privy Council remonstrate with him as to remission in favour of Macdonald and MacRanald, 401, 402, 403, 447, 448, 449; requested by Privy Council to interfere for protection of Scotch factors in France, 406; particulars sent to him as to rebellion of Earl of Caithness, 407, 408, 409, 410; proceedings in Parliament communicated to him by the Earl of Melros, 411, 412, 413, 414, 415,

416; informed that taxation granted, 421, 422; that church articles allowed, 423, 424; farther proceedings in relation to the church articles detailed, 425, 426, 427; his appointment of the Goodman of Harden as shireff of Selkirk objected to, 429, 430; Robert Bruce's petition submitted to him, 431, 432; Privy Council inform him of various matters, 434, 435, 436, 437; proposition from City of Glasgow as to taxation submitted to him, 438; Privy Council report to him their opinion on Monteith's offer for lease of Orkney, 439, 440; his gift of pension to Lord Kinclavin objected to, 441; his grant objected to, 442; applied to on behalf of Robert Bruce, 444, 445; orders search for pearls, 446; informed of proposed arrangement between Culmalundie and Monyvaird, 449, 450; commands the Dunkerker vessel in the harbour of Leith to be treated in a friendly manner, 456; naval engagement between a Dunkirk vessel and two Dutch ones, and subsequent proceedings communicated to him, 457, 458, 459, 468, 469, 488, 489, 490, 497, 498, 499, 500, 512, 513, 514, 515, 516, 517, 521, 522, 523, 524, 533, 534, 535, 540, 541; remonstrance by Lords of Session against orders upon Lord Durie to plead in Lord Mar's case against Lord Elphinston, 463, 464, 465; list of Justices of Peace sent him, 466, 467; alleged subornation in a divorce case, and relative procedure communicated to him, 474, 475, 476; informed of illness of Mortimer the Jesuit, 476; of the delivery of the Great Seal by Earl of Wintown, 477, 478; applied to by Sir William Keith for liberation, 480, 481; explanations on subject of Keith's imprisonment made to him by the Privy Council, 481, 482; also as to the wool trade, 485, 486, 487, 490, 491, 492, 493, 500, 501, 505, 520; informed of negotiations with Kellie as to surrender of lands, 502, 503; Lord Colville recommended to him by Privy Council, 503, 504; informed by Lord Melros that he has ordered Mr William Struthers to desire his colleagues not to allude to Prince Charles' journey to Spain, 506, 507; orders exemption of Lord

- Johnstoun from Earl of Nithsdale's commission to be deleted from the Privy Council record, 509; informed of altercation between the Johnstons and Maxwells, 509, 510; letter from Lords Chancellor and Secretary to him, 511; from Lord Melros to him, 512; solicited to permit additional copper coinage, 526, 527, 528; list of Justices of Peace transmitted to him, 530, 531; James Scot recommended to him, 532; informed of apprehension of Duncan Moyle Campbell, 535, 536, 537; letter from Sir William Seton to him, 539, 540; presentation by him of lands of the Northfield of Coldingham to George Quliytheade, 550; objected to, 550, 551; advised by Privy Council to feu Orkney for the duty presently payable, 554; proceedings at meeting of the Commissioners of Middle-shires communicated to him, 554 to 558; letter by Sir James Spens to Privy Council transmitted to him, 558, 559; grants license to the Earl of Nithsdale to travel, 559, 560; informed of capture of two vessels with corn, 561, 562; of Robert Boyd's vindication before Council, 563, 564; of fire in Dunfermling, 565; of examination of the tacksmen of the kirks of Monkland and Calder, 569, 570; of proceedings against James Arnot, 571; displeased with what was done in Rig's matters, 572; explanations to him on the subject, 573, 574, 575, 576; orders Council to stay diligence of Earl of Nithsdale's creditors, *ib.*; proceedings in consequence communicated to him, 577; informed of trial and examination of Robert Elliot, 580, 581, 582; of disputes between the Earl of Home and Lord Gray of Wark, 582, 583; of search for conventicles, 584, 585; informed that the Earl of Roxburgh will obey his order not to proceed farther against Francis Stuart, 587, 588; informed of opposition to the signature in favour of the Earl of Argyre's second son, 587, 588; list of Scots nobility present at his funeral, 589, 590.
- Jedburgh, 578, 579.
- , MASTER OF, disputes between him and Sir William Seton and the Earl of Nithsdale, 538, 539, 540.
- Johnstoun, feud between the name of and the Maxwells, 509, 510.
- , ———, daughter of the late Laird of, Lord Maxwell offers to marry her, 110.
- of Brackenside, James, declared fugitive, 451.
- , Captain, Viscount Annand obtains decret against him, 495.
- , Edward, in Siefeld, declared fugitive, 451.
- of Eschiescheills, slain, 38.
- of Howgyl, report of his slaughter false, 119.
- , James, in Croftheads, declared fugitive, 451.
- , James, in Lochhous, declared fugitive, 451.
- , Laird of [the Elder], murdered, 59; [the Younger] insists for punishment of Lord Maxwell, 108; offers made to him, but rejected, 110; John Murray wishes him to delay his marriage, 469, 470; thanks Viscount Annand for his friendship, 472; his exemption from the Earl of Nithsdale's commission ordered to be deleted, 509; appointed to be heard by Privy Council on the subject, *ib.*; his answer, 509, 510; friendship between him and Earl of Melros, 525; commission granted to him to try a thief apprehended by him with a fang, 557.
- , Old Lady, insists for punishment of Lord Maxwell, 108; offers made to her, but rejected, 110.
- of Locarbie, William, pursued by John Maxwell, 510.
- Jonkeene, David, 498.
- Joussie, John, 127.
- Jura, 204, 229, 597, 598.
- Jury, packed by the Earl of Dunbar, 11, 12.
- Justice-Clerk, Sir Archibald Napier appointed, 551.
- Justice-Depute, has salary of five hundred pounds Scots, 552.
- Justices of the Peace, list of sent to the King, 466, 530, 531.
- Justiciary, Lords of, induced by the Earl of Dunbar to convict Mr John Forbes, Welsh, and others, 11.

K.

- KEANLOCH WOOD, King's house there, taken, 229.
- Keith, Francis, petitions for liberation, 475, 481; liberated upon caution, 482.
- , Sir William, imprisoned, 478, 479; his letter to the King, 480.
- KELLIE, EARL OF, 446, 454; a Commissioner in the matter of the Wool, 501, 505; present at funeral of James VI., 589.
- , Tibot, *alias* Duff, 369.
- , William, required to give up lands he purchased from Lord Holderness, 502.
- Kelwode, Laird of, insists in his pursuit against the Earl of Cassillis, 103; obtains sentence against him, 111; prosecuted by the Earl of Cassillis, 112; account of the proceedings, *ib.*; further proceedings against, 125, 126; ward-ed in Blackness Castle, 126.
- Kennedy of Bargany, Thomas, pursues Sir William Steuart for payment of his mother's tocher, 205.
- , Gilbert, apparent of Bargany, married to Jean Steuart, 205.
- , John, suspected of murder, 317; examined, 317, 318; dismissed, 319.
- Ker, Andro, uncle to the Earl of Lothian, 133.
- , Sir Andro, 555; as a Scotch Privy Coun-cillor present at funeral of James VI., 590.
- Kilberrie, 236, 244.
- Kildrymmie, law-suit between Lords Mar and Elphinston as to lands of, 463.
- , Lord, 108.
- Kincardin, shireff of, 290.
- KINCLEVIN, LORD, his pension objected to, 441; present at funeral of James VI., 590.
- Kilduff, Richard, 369.
- Kinfawns, Laird of, murdered, 22.
- , ordered to transport Earl of Craw-ford, 284.
- King, Alexander, a learned lawyer, retained by Margaret Hartsyde, 50; some of the evidents of Lincluden in his possession, 253.
- , James, of Barrogh, 326; proposed that the King should pardon him for the murder of Alexander Seton, apparent of Meldrum, 326, 327.
- KINGHORN, EARL, his recovery expected, 250; dies, 252; his sister marries privately, 318.
- Kinloch, David, apprises sheriffship of Murray, 466, 467.
- Kinnaird, 287, 290, 291.
- KINTAIL, LORD, 216, 446.
- Kintyre, 228, 229, 231, 235, 236, 240, 241, 245, 248.
- , Earl of Argyle infest in, 28; occu-pied by rebels, 231; infestment in favour of the Earl's eldest son of the second marriage objected to, 587, 588.
- , Mull of, 231.
- Kirkhous, 118, 545.
- Kirkmichel, reconciled to Drumlanrig, 89.
- Kirkonnell, 139, 249, 555.
- Kirkpatrick, minister's house burnt, 547; those suspected sent to Edinburgh, *ib.*
- Kirkwall, 143, 186.
- , Castle of, 143; one of the turrets nearly destroyed, 144; very strong, 149; an ornament to the town, 185, 186; proposed to be demolished, *ib.*
- Knights' fees, 286.
- Knockfergus, Sir Oliver Lambert stays there to get timber, 597.
- Knoddort, 215.
- Knox, Mr Thomas, brings remission to Coll Makgillespik, 204.
- Kynnaird, *see* Kinnaird.
- Kyntail, *see* Kintail.

L.

- Lag**, Laird of, assists Drumlanrick, 455; in Edinburgh, 508; agrees with Sir John Seton and Master of Jedburgh against the Earl of Nithsdale, 538, 539; absent from meeting of Commissioners of Middle-shires, 555.
- Lambert**, Sir Oliver, Commander of the Irish forces, sails for Isla, 597; journal of his proceedings, 597 to 604; summons to the rebels, 605.
- Lamington**, Laird of, 87, 105.
- Lammermure**, 404, 405.
- Langsyde**, 451.
- Langton** [Cockburn of], sent to Castle of Edinburgh for claiming to be King's Usher, 413.
- Lauder**, Robert, 525.
- LAUDERDALE**, EARL OF, present at King James VI. funeral, 589.
- , Viscount of, made a Privy Councillor, 256; appointed to meet James VI., 290; to go to Strathern, 525.
- Laundress**, King's, dies, 292.
- Lawers**, Laird of, 100, 107, 233, 588.
- Leather**, abuses in tanning, 352, 353.
- , price kept up by tanners, 46.
- Leith**, 287, 295, 488, 489, 497, 498, 512, 513, 514, 515, 521, 522, 523, 533, 534, 540, 548.
- , a principal sea-port, 78; gift to Bernard Lindsay of the impost of the tavernars there, 102, 104; commission sent to complain of the burgh of Edinburgh from, 234; Edinburgh merchants waylaid on the road to Leith, 273; safe arrival of ship with the King's furniture in harbour, 291; engagement between two Dutch and one Dunkirk vessel in Roads of, 457, 458; further particulars, 468, 469, 497, 498, 499; inhabitants plunder the Dunkirk sailors, 514, 522.
- LENNOX**, DUKE OF, Lord of the regality of St Andrews, 24; taxmen of customs cited before, 34; claims assise herring of the North Isles, 129; named a Commissioner to treat upon the matter of the Wool, 501, 505; present at funeral of James VI., 589; letter from Privy Council to Charles I. as to his affairs, 592.
- Lesmoir**, Laird of, his cattle houghed, 31.
- Leuiston**, see Levingston.
- Levingston**, William, 167.
- Levinus**, Roman consul, advice to the senators, 379.
- Lewcopé**, Robert, 368; killed, 369.
- LEWIS VII. KING OF FRANCE**, repudiates his wife, 379.
- XIII., promises to re-establish the Scottish Guard, 503, 504.
- Lews** [Lewis], Island of, 216.
- Lincluden**, regality of, gold found there, 138; evidents of in the hands of various persons, 253.
- Lindsay**, Bernard, obtains gift of impost on the tavernars in Leith, 102, 104.
- , Sir John, obtains a signature of the keepership of the game of Moore-Rowmond, 196; stayed by Privy Council, 197.
- , slaughter of, 428.
- LINLITHGOW**, EARL OF, present at King James VI. funeral, 589.
- Litster**, George, acquitted, 452.
- , William, acquitted, 452.
- Littell**, Walter, executed, 452.
- Littill**, Alexander, acquitted, 451.
- , John, acquitted, 451.
- , Mathew, in Newlands, acquitted, 451.
- LIVINGSTON**, LORD, disputes between him and the Earl of Perth, 297.
- Locarbie** [Lockerbie], 510.
- Lochaber**, 215, 218, 235, 240, 248.
- Lochbuy**, Makclean of, 216.
- Lochgorme**, House of, 243.

- Lochgorme, Isle of, 236.
 Lochhous, 451, 452.
 Lochinvar, Laird of, 87; kills his servant, 118; cautioner for John Murray, 121; money matters between them, 137, 139; disputes between him and Lady Broughton, 251, 255; intends keeping sureties of Markill, 252; his son comes to Edinburgh, 434; expected in Edinburgh, 483; nothing done in his business, 487.
 Lochquhabber, see Lochaber.
 Lodinnis, in Islay, 235.
 Logane, 452.
 Logy-Almond, 305.
 London, Commissioners sent there as to disputes relative to the Wool trade, 490.
 Londoners, forbid feasting in consequence of misfortunes of the King's grandchildren, 415.
 Lords' fees, 286.
 Lorne, 225, 322.
 ———, LORD OF, infest in the whole Argyle estate, excepting Kintyre, 588; recommended to Charles I. for his conduct against the rebels of the Claneane, 591.
 Lossie, customs of the waters of, claimed by the Earl of Murray, 101.
 Lothean, see Lothian.
 Lotheane, Thomas, 322; his ship seized for the use of the King of Denmark, 323; imprisoned, 322, 323; application to the King on his behalf by the Privy Council, 322, 323, 324.
 Lothian, Barons of, complain against burgh of Edinburgh, 56; complain of scarcity of money, 361.
 ———, Burgesses of, 367.
 ———, EARL OF, 133, 136, 290, 513.
 LOVAT, LORD, suit with Glengary, 219; burdened with ingathering the taxation of his sheriffdom, 467.
 Low-Countries, captain of a coal ship from, seized and committed to Edinburgh Tolbooth, 295.
 Lowmonds, proposed to be feued to John Murray, 190, 191.
 Lowthian, see Lothian.
 Ludquharne, 478, 479, 481.
 Lummisdeane, Thomas, lands gifted to him, 27.
 Lundie, 233; Laird of, objects to infestment in Kintyre in favour of the Earl of Argyle's eldest son of second marriage, 588.
 Luss, 100.
 Lyncluden, 299.
 Lyndsay, Barnard, 102, 104, 259.
 ———, Robert, obtains the comptrollership of ordnance, 259; dies, *ib.*
 Lyntoun-boiggis, 290.
 Lyon, ford of, 212.
 Lyoun, Sir Thomas, merits deprivation, 1.
 Lyttell, Archibald, fugitated, 451.
 ——— Archie, 452.
 ——— Thomas, in Barklaes, acquitted, 452.
 ——— Thomas, in Dowglen, acquitted, 452.

M.

- MACDONALD, Sir James, offers caution, 28; pursued for breaking out of Edinburgh Castle, 38; complains of imprisonment in Edinburgh and Blackness Castles, 131; his execution stayed, 187; pursued, 211, 212; substance of his letters, 213, 214; comes to Lochquhabber, 215, 216; pursued, 217, 218, 219; surprises Dunyvaig, 220, 221, 222, 223, 224; letter to Lord Binning, 226, 227; would rather die than see a Campbell possess Islay, 227; escapes from Argyle, 235; lands in Ireland, 245, 247; obtains remission, 401; objected to by Privy Council, 402, 447, 448; his bastard son lands from Dunkirk vessel, 514; Earl of Nithsdale applies to the Earl of Annandale on his behalf, 561.
 Macers, fees claimed by them upon creation of noblemen and knights, 285, 286.
 Mackeain, Donald Gigaith, joins rebels, 229.
 Mackynnoun, Laird of, 216.

- MADERTIE, LORD, present at funeral of James VI., 590.
- Mairtene, Adam, convicted, 452.
- Robert, 452.
- Maitland, Patrick, of Auchincreif, commission to him to search for and receive pearls, 446.
- Makbraire, Robert, 87, 250, 251, 253, 432, 443, 547, 548; dispute with Robert Corsan, 432, 433.
- Makcleane of Lochbuy, 216.
- Makcloyde, Neil, dies penitently, 104.
- of Herreis (Harris), sets out for Court, 104; refuses to assist Bishop of the Isles, 165.
- Makgillespik, Coll, remission to, 204; comes to the North Isles, 215; passes to Isla, 217, 218; surprises Alexander M'Dowgall, 220; pursuit of, 223; surrenders Dunyvaig, 235, 236; gets conditions, 237, 238, 239.
- Makgregour, see Clangregour.
- Makildowie, Allan, 429.
- Makkenye, 215.
- Makneil, Hector, 230, 232.
- of Thyneis, letters to Lord Binning, 220, 229.
- Makoneil, Sir James, see Macdonald.
- Maksorle, Sir James, 216.
- Manufactures, introduction of into Edinburgh, 366, 367, 368, 386, 387.
- MAR, EARL OF, complains to Privy Council of attempt to remove the Prince from his charge, 3; arrangement with Archbishop of Saint Andrews, 269; his vote for taxation carried, 277; named Treasurer, 298; ordained to secure Lord Gray price of his sheriffship, 304; in Inverrugie, 317; letter to the King, as to James King's remission, 326; concurs in contribution for Palatinate, 378; meeting between him and Archbishop of Saint Andrews, Lord Chancellor, and Secretary, 394; urges strong reasons for taxation, 421, 422; return from Alloa expected, 455; arrives in Edinburgh, 456; renounces claim as heir of Earl of Douglas, 463; meets with Lord Johnstoun, 473; applied to for Viscount Annand's precept, 508; present at funeral of James VI., 589.
- Marchinstoun, Laird of, present at Council, when the King's letter urging voluntary contribution for Palatinate received, 387. See Naper.
- Markill, 252.
- MARSHALL, EARL, present at funeral of James VI., 589.
- Martine, Andro, 175; disclosures by, 184; craves mercy, 185.
- MARY, QUEEN OF SCOTS, confirms the Golden Charter in favour of the Bishop of Saint Andrews, 24.
- Masoun, Captain, 129.
- Massilian women sell their hair, 380.
- Mathie, James, wounded, 18.
- Maull, Patrick, obtains rights to his teinds, 33.
- Maxuel, see Maxwell.
- Maxwell, Alexander, 487, 547.
- , of Castlemilk, John, shoots the Laird of Wamphrae's servant, 510; commits other outrages, *ib.*
- , of Conhaith, John, 85.
- Dame, proposal to marry her to the Laird of Johnstoun, 111.
- of Hills, Edward, 86.
- Harbert, 483, 487.
- , James, 284.
- , James, suits between him and Lord Herries, 72, 73.
- , of Kirkconnel, James, 105, 555.
- , John, matters arranged between him and John Murray, 87, 88, 105.
- , Loan [John, seventh], pursued for breaking out of Edinburgh Castle, 38; slays two of the Johnstouns, 38, 39; burns houses, 59; murders Laird of Johnstoun, 59, 60; faulted, 67; letters relative to, 106; attempts settlement with the Johnstouns, 108, 109; offers made by him, 110, 111; place of his reset not known, 118; alleged burial a calumny, 119; beheaded, 121; [Robert, eighth Lord], speeches between him and Earl of Melros, 433. See Nithsdale.
- , Robert, 109.
- Maxwelheugh, 579, 581.
- Maxwells [of Gararie], proceeding against them for murder, 353, 354, 355, 357, 358.

- May, Laird of, 146.
 —, young, 181.
 Mayboill, town of, 125.
 M'Alester, John, 222.
 M'Clane, slaughter of, 402.
 M'Cleud [M'Leod] of Herreis, 218.
 M'Coneil, Archibald, escapes, 22.
 —, Sir James, see Macdonald.
 —, Angus, offers caution, 28.
 M'Donochie, Alexander, 222.
 M'Doull, Alexander, 221, 222.
 —, Coill, 221, 222.
 —, Duncan, 222.
 —, John, 221.
 —, Sorill, 221.
 M'Dowgall, Alexander, 220.
 M'Duffie, 244.
 M'Duphe of Collinson, joins rebels, 229.
 M'Ean, M'Allan, Captain of Clanronald, 216, 217, 218, 219.
 —, of Ardnamurchay, 218.
 —, Coill, 222.
 —, Ewir, 222.
 —, John, 222.
 M'Eandny, Allan, a wicked lymmar, 448.
 M'Gillichallum, John Dow, houghs eight score nolt of the Laird of Lesmoir, 31.
 M'Ilvane of Grymmett, John, younger, prosecuted by Earl of Cassillis, 112, 125.
 M'James, Sorle, 235, 248.
 M'Karie, 245.
 M'Len [M'Lean], 165.
 M'Leod, Sir Rorie, of Harris, account by him of proceedings against the rebels of Islay, 214, 215, 216, 217; letters from Lord Binning to him, 224.
 M'Oneil, see Macdonald.
 M'Patrick, Robert, 536.
 M'Ranald, 211, 235, 245, 248; obtains remission, 402; objected to, 402, 447, 448, 449.
 M'Rannald, 215, 219.
 Meffen, 211.
 MEIDHOPE, LORD, 220; dies, 335.
 Meldrum, Laird of, 326.
 MELROS, EARL OF, Lord Binning, created Earl, 327; letter relative to James King's remission, 326, 327; transmits list of justices to the King, 332, 333; can get no satisfaction from Irving of Drum, 333; transmits copy of treaty with Burgundy in 1551 to the King, 334; requests the King not to fill up Lord Meidhope's place until some fit person be found, 335; letter to the King as to nomination of Sir William Seytoun as a Justice of the Peace for Haddington, 336; informs the King, as recommended by him, that Margaret Hairtsyde is restored to her credit, 344; receives letter from the King, 360; urges the Earl of Abercorn and his mother to submit differences with Sir George Hamilton, 363; writes to the King as to the disputes between the Earls of Nithsdale and Angus relative to precedence, 375, 376; reports proceedings to the King as to the contribution for the Palatinate, 376 to 382; speech on the subject, 378, 379, 380; praises Queen of Bohemia, 379; writes to the King as to precedence of Nithsdale and Angus, Palatinate contribution, &c. 388, 389, 390; mentions that the meeting for discussing the contribution had taken place, and that the Archbishop of St Andrews was to proceed to Court to inform the King, 391, 392; meets with Archbishop of St Andrews, 394; suggestions as to mode of raising contribution for Palatinate, 394, 395; desired to frame a letter to the estates, 395; acquaints the King with an error in his former letter, 397, 398; writes to John Murray, 398; letter to the King as to Earl of Home's marriage, 403, 404; to John Murray as to bargain with Laird of Bass, 404; apprehends two mad parsons, 412; details proceedings in Parliament to the King, 411, 412, 413, 414, 415, 416; informs the King that the taxation allowed, 421, 422; that Church Articles allowed by the Lords of Articles, 423; further details, 425, 426, 427; letter to James Douglas, 428; to John Murray, asking his influence for Sir John Scot, 431; to John Murray, as to riot in Dumfries, &c. &c., 432, 433, 434; acquaints the King with

- result of search for pearls, 446, 447; requests Murray to thank the King for promoting Mr Thomas Henderson, 453, 454; intimates Chancellor's illness to Murray, 454, 455; informs the King of the naval engagement between a Dunkirk and two Dutch vessels, 456, 457, 458, 459; intimates Chancellor's death to John Murray, 459; wishes proper successor appointed, 461, 462; letter from John Murray to him, 469; informs Lord Johnstoun of Viscount of Annand's friendship, 472; informs Lord Annand that Lord Johnstoun well pleased, 473; note by him as to Sir William Keith's imprisonment, 478; letters to Viscount of Annand chiefly as to private matters, 483, 487, 494, 495, 496, 508; receives present of buskins and gloves from Lord Annand, 497; informs the King that he had prohibited the Clergy from alluding in the pulpit to the Prince of Wales' journey to Spain, 506, 507; letter by him and Chancellor to the King as to summoning Privy Council, 511; further particulars communicated by him to the King as to Dunkirk and Holland ships, 512, 513, 514, 515, 516; ill from his exertions, 517; transmits Viscount Annand's patent, 524; his obligation to the Marquis of Buckingham, 525; as to dispute with Laird of Bass, 528, 529; letter to Viscount of Annand as to disputes between Earl of Nithsdale, Sir William Seton, and the Master of Jedburgh, 538; as to burning of the Minister of Kirkpatrick's house, Border matters, &c., 547; Robert Elliot examined before him, 578; informs the King that the Earl of Roxburgh has agreed to stay proceedings against Francis Stuart, 585, 586; attends the funeral of King James VI., 589.
- Melville, Sir Robert, 95, 208, 277, 305.
- Menteith, Duncan Moyll Campbell, apprehended in bounds of, 535, 536.
- , Robert, complains to Privy Council, 54.
- Merchants, Scots, petition Privy Council as to obstacles to trading with Ireland, 310; complain of duty imposed on importation of foreign corn, 320; their insolence, 321; disputes with the skippers, 327, 328, 346, 347, 348; solicit the Privy Council to protect their factors in France, 406; complain of act for putting down superfluous apparel, 436.
- Merick, Captain, 248.
- Merks, value of, in time of King David, 422.
- Mershell, 479.
- Merton, Simpson, a mad minister of, 412.
- Middle-Shires, Landlords and Clans of, ordered to renew the general bond, 302; the King wishes lewd persons from to be sent to Colonies, 311; objected to by the Commissioners of, 312; opinion by Privy Council on the subject, *ib*; meeting of Commissioners of, 339, 554, 555; proceedings of, 556; Commissioners complain of conduct of men of Tyndale and Riddisdail, 586.
- Mitchell, David, 188, 189.
- Money, scarcity of, 40, 361, 362.
- Monkland, titularity of teinds of, acquired by Lord Boyd, 569.
- Monro, Robert, 428.
- Monrois, *see* Montrose.
- Monteith, Robert, wishes a tack of the King's rents in Orkney and Zetland, 439.
- Montrose, arrival of wauchters there, 257; merchants robbed and left for dead going to, 273; inhabitants ordered to provide food, &c., for reception of the King, 289; Ostend ship there, 447.
- , EARL OF, concurs in contribution for Palatinate, 378; proposes general taxation, 381.
- Monypenny, John, 134.
- Monyvaird, Laird of, slain, 449; matters arranged by Privy Council, 449, 450.
- Moone, one of the King's pinnaces, proceeds to Islay, 597.
- Moore-Rowmond, moor of, 196, 197, 291.
- Moron, 215.
- MORTON, EARL OF, thinks there should be a general taxation for Palatinate, 381; proceeds to Leith to prevent hostility between the Dunkirk vessel and the Dutch wauch-

- ters, 513; present at funeral of James VI., 589.
- Mortymer, the Jesuit, dying, 476.
- Mosse, 237.
- Mostoure [Moss-Tower], 579, 581.
- Mukal [Muchall], 479, 480.
- Mukarne, 212.
- Murchill, Laird of, 155.
- Murder, supposed, in Galloway, 317; investigated, 318, 319; the Maxwells of Gararie accused of, 353, 354, 553.
- Mure-Rewmonth, see Moore-Rowmond.
- Murray, Captain David, keeps watch in harbour of Montrose, 257; proceeds to London to bring his Majesty's provisions to Scotland, 284; Commander of the Royal Charles, 329; pension proposed to be given to him, 330.
- , Sir David, dies at Dumfries, 127.
- , EARL OF, claims the customs of the waters of Spey, Findhorne, and Lossie, with the burrow-mails of Elgin and Forres, 101, 102; rights to the customs of Spey and Findhorne considered by Privy Council, 135, 136; reports to Privy Council his apprehension of Duncan Moyll Campbell, 535.
- , James, appointed Comptroller of Ordnance by his uncle Sir Gideon, 259.
- , Sir Gideon, 59; quarrel between his son and the second son of Lord Cranstoun, 80, 81; supposes quarrel instigated by Lord Cranstoun, 81; desired by the King to consider an overture for pacification of Highlands, 122, 123; proposals as to curing red herring remitted by the King to him, 123, 124; denies having calumniated Robert Elliot, 137, 138; dealings with the Sheriff of the Forest for a renunciation of his office, 203; intimates Earl of Kinghorn's death to the King, 252; letter to Patrick Murray as to Comptrollership of Ordnance, 259; delivers the King's orders to the Privy Council as to his Majesty's reception, 265, 267; his vote as Treasurer-depute in Parliament objected to, 277.
- Murray, John, unwilling to receive Lord Sanguhar's securities in exchange for those of Murray of Lochmaben, 137.
- [of Lochmaben], John, matters between him and John Maxwell arranged, 87, 88; contract with Broughton, 105; informed of various matters, 106, 107; money to be paid by Lord Tortheral, 120; various matters communicated to him, 121; wife arrives in Edinburgh, 126; brother dies, 127; William Dick willing to lend him money to pay John Jousie, 137; state of his affairs in Scotland, 138, 139; gold found on the land of one of his feuars, 138; teinds to be settled by Bishop of Galloway, 139; solicited by Lord Binning for a friend, 189, 190; various matters relative to his private affairs, 190, 191; receives the Lord Chancellor's thanks for aiding his nephew's claim to the earldom of Eglinton, 200; letters from Lord Binning to him, 234, 249, 250, 253, 254; letters from Earl of Melros, 398, 404; settles with the Earl of Nithsdale, 399; Earl of Melros recommends Sir John Scot to him, 431; result of criminal trials at Dumfries communicated to him, 451, 452, 453; solicited to use his interest for Sir Thomas Henderson, 453, 454; letter from Henderson to him, 465; letter to Earl of Melros, 469; created Viscount of Annand, 470. See Annand.
- of Philliphaugh, Sir John, 555.
- , Sir Patrick, examined, 428.
- , Sheriffship of, apprised by David Kinloch, 466, 467.
- , Thomas, 168.
- , William, groom of the Bedchamber, 313.
- , Mr William [Parson of Dysart], conferences relative to his conduct, 193; honourably acquitted, 194, 195; his supplication transmitted to be laid before the King, 198.
- Marthlie, 211.

N.

NAISMITH, John, complains of taxmen of the customs, 34.

Naper, Sir Alexander, 484.

———, Sir Archibald, 256, 484; made a Privy Councillor, 256; ordered to send cannon from Edinburgh Castle to Leith, 514; appointed Justice Clerk, 551; present at funeral of James VI., 590. See Marchinstoun.

Navigation, matter of, and country ships, brought before Privy Council, 327, 328, 346, 347, 348.

Nellar, Fred. 44.

Newbigging, 147.

Newheavin, 263, 408.

Newmarket, 507.

Nicholson, George, 92.

———, Thomas, wishes the heritable post-mastership of Cockburnspath, 494.

Niddisdail, see Nithsdale.

Niger, the Emperor, 381.

Nisbet, James, 102, 105, 106.

NITHSDALE, EARL OF, disputes as to precedence, 375, 376, 388, 389; settles matters with John Murray, 399, 463; friendship between him

and John Murray, 470; warrant to him to apprehend alleged suborner of witnesses, 474; securities between him and Lord Annand to be adjusted, 483; letters for him, 487; his exemption in favour of the Lord Johnston ordered to be deleted out of the Privy Council books, 509; Lord Annand shews to him the truth of Lord Melros' dealings, 525; delays giving up evidents to Sir T. Hope, 528; dispute between him and Sir William Seton, 538, 539, 540; letters from him to Viscount Annand, 542, 543; will not allow his wife to come to London, unless the Duke of Buckingham wishes it, 544; disposition of Castlemilk to, 545; requests excambion with Viscount Annand to be completed, 547; licence granted him to travel, 559, 560; letter from him to Earl of Annandale, 560; wishes his Lordship to get the Duke of Buckingham's letter to comfort his wife, 361; Privy Council attempt to adjust matters with his creditors, 576, 577; present at the funeral of James VI., 589; letter to the Earl of Annandale, 593.

Northberwick, Laird of, 403.

O.

OCHILTREE, LORD, 103; sister marries Gilbert Kennedy, 205; tacksman of Orkney and Zetland, 365; two years of his tack to run, 366; sought for by Marquis of Hamilton, 428.

Odochartie, insurrection of, 44; takes Bishop of Darayes [Derry?] house and wife, 166.

Oge, Angus, constable of the Castle of Dunyvaig, states that he acts under directions from

the Earl of Argyle, 167; besieged in Dunyvaig, 600, 601, 602; offers terms, 602; surrenders, 603, 604.

OGILVIE, LADY, 484.

———, LORD, 484.

Oig, Angus, to be presented by Laird of Cadell, 202.

Oige, Rannald, slain, 221.

Olifant, see Oliphant.

Oliphant, John, brings buskins and gloves as a present from Viscount Annand to the Earl of Melros, 497.

———, John, agent to James VI., 590; present at his funeral, *ib.*

———, Lord, attempts to murder his kinsman, 291.

———, Patrick, stabbed by Lord Oliphant, 291; supposed that he will recover, 294.

———, Sir William, a learned and experienced lawyer, retained by Margaret Hartsyde, 50.

ORANGE, PRINCE OF, orders Spanish ship to be attacked, 489.

Ordnance, Comptrollership of, held by John Chesholm, 259; disposed to Robert Lindsay, *ib.*

ORKNEY, BISHOP OF [James Law], agrees with Privy Council as to patrimony of bishoprick, 96; is to repair to England, *ib.*; his rental, 141, 142; writes an account of the proceedings of the Earl of Caithness, 145, 146, 151, 152; business successfully done for him by Patrick Hamilton, 162; his signature received by Lord Binning, 169; blamed for his negligence, *ib.*; proposal that he should succeed to Archbishop of Glasgow, 194, 196; present at examination of the charges against the

parson of Dysart, 195; [George Grahame] professes duty to John Murray, 254.

ORKNEY, EARLOF [Patrick Steuart], his oppression complained of, 54; charges for his maintenance in Dumbarton Castle, 96; allowed four pounds daily, 100; ordered to be brought from Dumbarton, 179, 180; conference with Lord Binning and Lord Advocate, 188, 189; said to be in debt to Robert Monteith, 439, 440.

———, grievances there, 54, 55; proceedings of the Earl of Caithness against the rebels there, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 174, 175, 176, 177, 178; ship with provisions sent there, 163; Mr John Finlason very unpopular there, 189; acquired by James VI., 274; Lord Gordon wishes a tack of, upon the termination of the one in favour of Lord Ochiltree, 365; Robert Monteith wishes tack of King's rents in, 439, 440; offers made by Sir John Buchanan for a tack of, 440; pension on rents of to Lord Kinclavin objected to, 441; curious picture of the state of, by the Privy Council, 553.

Ormiston, Lord Justice Clerk, very infirm, 484; death of, 485.

Oxford, vice Chancellor of, thanked by Privy Council, for his proceedings in relation to Ross, 314.

P.

PAISLEY, 299, 446.

Palatinate, contribution for the, 373 to 382, 387, 388, 391, 394, 395, 397, 398, 414, 415, 417, 418, 419, 420.

Pape, Mr John, offers to assign his comprising of the Laird of Bass' lands, 496.

Pareis [Paris], Scotch factors there, 406.

Parliament [Scots], proceedings in, 15, 16, 17, 19, 63, 64; proclaimed at the Cross of Edin-

burgh, 392, 393; proceedings in, 411 to 416; privilege of guarding claimed by Lords Hay and Keith, 413; address by the King to, as to affairs of Palatinate, 417.

Pasley, see Paisley.

Pasquil, by Ross, 315, 316.

Pavunes Willie, acquitted, 451.

Pearls, commission granted to search for, 446, 447.

Pencraik, 289.

Peragon of Leith, captured by Myles Burke, 368.

Perth, 219, 290, 299.

—, EARL OF, disputes with Lord Livingston, 297; visited by Viscount of Lauderdale, 525.

Philips, Sir Thomas, 601, 602.

Philliphaugh, 555.

Phillips, Robert, 530.

Phœnix, Sir Oliver Lambert sets sail in the, for Isla, 597; endures a violent storm at Tixa, 599.

Pietersvander, Adam, captain of a Holland vessel, 521.

Piltoun, 76, 279.

Pinkie, 154.

Pinzerie, 121.

Pitcairn, Patrick, disputes with Lord Scone, 383, 384.

Pitlour, 383, 462.

Pitt and Gallows, rights of, barons infeft with privilege of, 557.

Pittenweem, fishermen of, ordered not to fish off Ferøe Islands, 304.

—, LORD, present at funeral of James VI., 590.

Plague throughout Scotland, 23; in Ayr, 79.

Polwart, Laird of, 403.

Popery, increase of, 21; measures for putting it down, 22.

Postmastership of Cockburnspath, solicited by Mr Thomas Nicholson, 494.

Pottum, 452.

PRESIDENT, LORD, Mr William Watson examined before him, 208.

Presmennan, 528.

Primrose, James, recommended to take charge of Prince's affairs in Scotland, 531.

PRIVY COUNCIL of Scotland, acquaint the King of intended attempt to take Prince Henry from the custody of the Earl of Mar, 3; inform him of the Earl of Cassillis' sentence, 4; write to the Lord High Treasurer as to reset of the Clangregor, 6; justify their conduct to the King towards Douglas of Torthorwall, 7; recommend a person to assist the

Earl of Dunbar, 8; acquaint the King with state of case between the Earl of Athol and his mother-in-law, 9, 10; with proceedings against Mr William Forbes, 13, 14, 15; and of Lords of Articles as to ratification of the King's prerogative, 15, 16; with feud between the houses of Eglinton and Glencairn, 17, 18; inform the King that taxation granted, 19, 20; and that without any discontent, 21; mention increase of Papists, *ib.*; state of the Highlands, and escape of Mac-Coneil, 22; plague, 23; the matter of Sir George Ramsay and Thomas Lummisdeane, 27; infestments in the Isles, 28; defalcations of customs, *ib.*; ruinous state of the Earl of Athol's affairs, 30, 31; pursuit of Master of Crawford, 32; dispute with taxmen of the customs, 34; recommend publication of Mr Thomas Craig's works, 43, 84; letter to the King as to sending troops to the Isles, 45; as to tanners keeping up price of leather, 46; and as to warding Marquis of Huntly, and Earls of Angus and Errol, 47, 56, 57; experience difficulties in procuring levies for the Isles, 48; write to the King as to Margaret Hartsyde's conviction, 49, 50; as to murder of James Douglas, 51; complain of absence of the Justice Clerk, 52; recommend Bishop of Isles to the King, 54; as to affairs in Orkney, 54, 55; excuse themselves from the complaint of not informing the King of the whole circumstances of the dispute between barons of Lothian and town of Edinburgh, 56; as to disobedience of burgh of Haddington, *ib.*; as to Balmerino's case, 57, 58, 59; as to murder of the Laird of Johnston and feuds of the Johnstons and Maxwells, 60; as to want of timber, 61; as to prohibition against iron mills in forests, 61, 62; inform the King of proceedings of convention of estates for the advancement of religion, 63, 64, 65; as to slander against Lord Scone, 69, 70; write to the Earl of Dunbar as to proceedings against Mr John Fairfoull, 74; recommend upholding the burgh of Ayr, 77,

78, 79; mention quarrel between the sons of Sir Gideon Murray and Lord Cranstoun, 80, 81, 82, 83; as to petition for John Maxwell and Edward Maxwell for continuance of tack of customs, 85, 86; object to discharge to Home of Renton of his intromissions with Earl of Dunbar's rents and goods, 92; as to gift to Sir William Balfour, 93, 94; as to claim by James Shaw for arrears of work, 95; acquaint the King with failure of attempts to settle matters with the Johnstons for the murder by Lord Maxwell of the Laird of Johnston, 108, 109; as to disputes between Earl of Cassillis and Kelwode, 111, 112, 125, 126; inform the King of what was done on the claim of Sir Alexander Seton to the earldom of Eglinton, 113; letter to them from the Earl of Eglinton, declining to lay down title, 115; accused by the King of negligence in discharging their duties, 117; give explanations as to slaughter of Cowhill, 118; as to prosecutors of Lord Maxwell keeping company with him, *ib.*; as to pursuit of Lochinvar, *ib.*; as to Gilbert Brown, *ib.*; as to summoning Lord Errol, *ib.*; as to dilation of Mr John Hamiltoun, 119; wearing guns and pistollets, 119; no disorder in Highlands, *ib.*; trial of Dumfries rioters to be prosecuted with rigour, *ib.*; burial of Lord Maxwell a calumny, *ib.*; report to the King that no assise duty can be claimed from the burrows, 129; are averse to report upon the duty claimable from strangers fishing in the Scotch seas, 130, 131; transmit Sir James M'Coneil's application for liberation to the King, 131; as to disputes between the late Lord Sanquhar's base son and Crichton of Rylhill, 132, 133, 164, 165; report to the King conference with Archbishop of St Andrews, as to suit of Monypenny and Creichtoun, 134, 135; investigate the Earl of Murray's rights to the customs of the rivers Spey and Findon, 135, 136; as to signature in favour of Francis Stewart, 140, 141; as to rental of the Bishop of Orkney, 141, 142; letter to the Earl of Caithness as to his proceedings against the Orkney rebels, 154;

write to the King as to putting down rebellion in the Isles, 178; note of their proceedings, 179; object to signature in favour of Sir John Lindsay, of the keeping of the moor of Moore-Rowmond, 196, 197, 198; as to claim against Sir William and Robert Steuarts by Thomas Kennedy, as cautioners for Jean Steuart's tocher, 205, 206; acquaint the King with the surprise of Dunyvaig by Sir James M'Donald, 222, 223, 224; as to Robert Hay's patent for making red herring, 262, 263; arrangements making for reception of the King, 265, 266, 267; as to assignation of victual by Archbishop of St Andrew's to Castle of Edinburgh, and substituting payment from the King's rents, 269, 270; as to fees payable on creations, 285, 286; note of proceedings for reception of the King, 288; transmit application by Sir Andro Bowye for appointing his wife a laundress to the King in place of his deceased sister, 292, 293; as to claims of George and Margaret Hays, 305; as to preventing the fishing of the Hollanders off the Scotch coasts, 306, 307; as to intromissions of Sir James Weymis with the late Lord Gowry's rents, 308; as to duties on commodities exported to Ireland, 309, 310; as to state of borders, 311, 312; as to claim of William Murray's relict to the lands of Cornetoun, 313; receive libel written by Ross, 314; find it may be punished capitally, 314, 315; note of matters done in Council since beginning of November 1616, 318, 319, 320; as to feuars of Argyle, 321, 322; as to seizure by the Danes of Thomas Lothian's ship, 322, 323, 324; meeting of, relative to matters of navigation and trade, 327, 346, 347, 348; propose to dispendish Royal Charles, and keep her at St Margaret's Hope, 329, 330; reprimand Sir James Skene for not communicating on Easter Sunday, 330, 331; recommend Sir George Hay's iron and glass-works to the patronage of the King, 337, 338, 342, 343; as to disorders of the Borders, 339; object to new coinage, 340, 341; commend case of Richard Hall to the King,

345, 346; inform the King as to objections of Magistrates of Edinburgh to the wearing scarlet gowns, 348, 349, 350; hear the bailies of Edinburgh's objections to William Todrig getting a patent for making red herring, 350, 351; call the chief tanners before them, 352, 353; investigate charge of murder against the Maxwells of Gararie, 353, 354, 355, 357, 358; and slaughter of Walter Scot, 356, 357; prohibit the passage of strangers to England, 358; disclaim all intention of disregarding royal authority, 360, 361; hear Lord Gordon's proposals for tack of Orkney and Zetland, 365, 366; recommend the introduction of manufactures in Edinburgh, 366, 367; hear the disputes between John Steuart and the Earl of Home, 370, 371, 372; report the value of foreign coin to the King, 372, 373; acknowledge receipt of King's letter, as to voluntary contribution for Palatinate, 373, 387; acquaint the King with their investigation of charge, brought by Patrick Pitcairn against the Lord Scone, 383, 384; wish the King to remonstrate with the French Court for slighting Peter Elphinston's genealogy, 384, 385; receive signature for Edinburgh, 386, 387; appoint meeting, 388; intimate proclamation of Parliament, 392, 393; inform the King that his rents have diminished, 396, 397; intimate to the King offer of Ludovic Stewart, to erect beacons in Forth, 400, 401; spirited remonstrance to the King as to his remissions to M'Donald and M'Rannald, 401, 402, 447, 448, 449; request the King to write to the French King to protect Scotch merchants trading to France, 406, 407; as to rebellion of Earl of Caithness, 407, 408, 409, 410; suggest that the Goodman of Harden should not be a Justice of the Peace for Selkirkshire, 429, 430; apply for Mr Robert Bruce, 434; as to superfluous apparel, banqueting, and taxation, 435, 436, 437; transmit application of city of Glasgow for compounding taxation to the King, 438; report on Monteith of Eglisshaw's offer for Orkney, 436; object to Lord Kinclavin's pension, 441;

and to Sir George Bruce's signature, 442, 443; transmit Mr Robert Bruce's petition, 444, 445; attempt to settle matters betwixt Cultmalundie and Monyvaird, 449, 450; intimate the Lord Chancellor's death to the King, 460, 461; transmit list of justices, 466, 467; communicate to his Majesty the particulars relative to the Spanish and Dutch ships, &c., 468, 469, 488, 490, 497, 498, 499, 533, 534; as to subornation of witnesses in a divorce case, 474, 475; as to sending Mortymer the Jesuit to France, 476; acquaint the King that Great Seal delivered to them, 477; wish the King's instructions as to Francis Keith's liberation, 481, 482; answers as to wool trade, 485, 486, 490, 491, 492, 493, 500, 501, 505, 520; negotiate with Kellie as to Lord Holderness's lands, 502, 503; recommend Lord Colville to the King, 503, 504; inform him of altercation between the Johnstons and Maxwells, 509, 510; recommend additional copper coinage, 526, 527; transmit roll of Justices to the King, 530; recommend James Primrose, 531, 532; communicate apprehension of Duncan Moyll Campbell, 535, 536; receive the King's letter censuring magistrates of Edinburgh for their unseasonable protestation, 540; promise to conform themselves to his majesty's orders, 541; letter to the Lord Chancellor as to the punishment of those concerned in the matter of the Dunkirk ship, 548; doubt if burgh of Edinburgh be proper place for trying offenders, 549; inform the King that his presentation in favour of George Quhythead was objected to by the Earl of Home and his mother, 550; allow the objectors to give in reasons in writing, 551; report that Sir John Buchanan pays a fair rent for the King's lands in Orkney and Zetland, 553; recommend that these lands should be granted in feu, 554; appoint a meeting of the commissioners of Middle-shires, 554; report as to their proceedings, 555; free intercourse with Ireland debated, and conferences on the subject, *ib.*; remedial measures adopted, 556; grant warrant to the commissioners

to make up a roll of the names of all fugitives and suspected persons, *ib.*; deny granting commissions to private persons within the Middle-shires for trying offenders, 556, 557; deny granting remissions to Borderers for using hacquebuts and pistollets, 557; object to the proposed disarming of the Border men, *ib.*; transmit the letter of Sir James Spens to the King, 558; request the King to interfere on behalf of William Dick and William Wilkie, whose vessels, laden with foreign victual, were seized by the Dunkirkers, 561, 562, 563; transmit substance of Mr Robert Boyd's petition to the King, 563, 564; acquaint the King with lamentable fire in Dunfermline, 565, 566; and the Prince of Wales, 567, 568; call the Lords Boyd and Blantyre, Sir James Cleland, Patrick Walkinshaw, and the tacksmen of the kirks of Monkland and Calder, before them, 569; report to the King what took place, 569, 570; investigate charges against James Arnot, and acquit him of fraudulent bankruptcy, 571, 572; object to fine imposed on William Rig and his accomplices, but place him in ward in Blackness Castle, 572, 573, 574; their conduct in this matter censured by the King, 574; justify themselves, 574, 575, 576; attempt to arrange matters between Earl of Nithsdale and his creditors, 576, 577; acquaint the King with the proceedings in the trial and examination of the attempt by Robert Elliot against the life of the Earl of Buccleugh, 580, 581; inform the King of the disputes between the Earl of Home's tenants and some men of Lord Gray of Wark, 582; suggest that a meeting of commissioners of

Middle-shires be called to examine into the matter, and to settle the differences between Lord Walden's tenants and the Lairds of Wedderburn and Blackader, 583; cause a search to be made for conventicles in Edinburgh, 584, 585; complaint made to them by commissioners of Middle-shires, that the men of Tynedale and Riddisdale had broken loose, 586, 587; object to signature in favour of the eldest son of the Earl of Argyle, of the second marriage, of the Lordship of Kintyre, as intended to defraud the Earl's creditors, 587, 588; certain of their number present at funeral of James VI., 590; recommend the Lord of Lorn to Charles I. for his successful expedition against the rebels of the Clan-Eane, 591, 592; propose that Lord Carnegy and some others shall be appointed in the absence of Sir George Elphinston, to take charge of the affairs of the Duke of Lennox, 592, 593.

Privy Councillor's house, no sanctuary, 30, 31; the vote of such as were not councillors of state, upon the question of taxation, objected to, 276; right to appoint a Justice Depute objected to, 281; several English noblemen, bishops, &c. sworn in, 300, 301.

— SEAL, LORD [Sir Richard Cockburn], 108.

Proclamation by James VI., which enjoins pains of death to the suitors for forfeited persons objected to by Privy Council, 293, 294; against strangers going to England to importune the King, 358; proclamation by Privy Council for restoration of effects stolen by the inhabitants of Leith from the Dunkirkers, 514.

Q.

QUENISFERRIE, 287.

Quhytclocks, Gilbert and George Irving, called the, 452.

Quhytheade, George, obtains a presentation

from the King to the lands of Northfield of Coldingham, 550; objected to by the Earl and Countess of Home, 550, 551.

R.

- RAITH, James**, 261.
Ramsay, Sir George, lands gifted to him, 27.
Ranfurlie, Laird of, 165; taken to Dunavaig, 166; traffic as to his liberty, 201, 209.
Rank, respective, of English and Scots public officers, 590.
Rannoch, 211.
Ratter, Laird of, 146.
Realig, in the west of Ireland, 368.
REGISTER, LORD CLERK, 105, 243, 265, 267, 428, 512; disputes between him and Alexander Skene, 173, 174; treaties with Burgundy deposited with him, 334; sets up glass and iron works in Scotland, 336, 342, 343.
Reitres, beget a tumult for not obtaining their pay, 380.
Renton, Alexander Home of, 92, 268, 282.
 ———, **Gudeman of**, claims right to appoint sheriff-clerk of Berwick, 282.
Restalrig, unfavourable opinion of Lords of Articles in process against, 67; removed by the influence of the Earl of Dunbar, 67, 68; summons proved, 68.
Riddisdaill, disorders there, 586.
Ridheugh, 578, 580.
Rig, William, public disapprobation of the fine imposed on him, 573; fine concealed, *ib.*; warded in Blackness Castle, *ib.*; the King offended that sentence not pronounced against him, 574; the clergy have a conference with him, 575; are satisfied and intercede in his favour, *ib.*; Privy Council deprive him of his bailliary, and commit him to ward, 575, 576.
Ritchiesoun, James, shot, 152.
Rodger, David, 543.
Roes in Presmennan wood, 528.
Rollock, Mr Peter, recommended to the King by the Privy Council to be appointed an extraordinary Lord, 76; circumstances relative to his admission, 279.
Rose [Ross], Earldom of, 364.
Ross, BISHOP OF [Patrick Lindsay], 377.
 ———, **LADY**, 495.
 ———, **Mr Thomas**, convicted of libel, 314, 315; speech, 316; sentence delayed, *ib.*; dittay not to be inserted in books of adjournal, 316.
 ———, **Water of**, pearls not supposed to be there, 446.
Rowane [Rouen], 406.
Rowme [Rum], Isle of, 218.
Rowvalin, in Ireland, 245.
ROXBURGH, COUNTESS OF, 525.
 ———, **EARL OF**, 133, 140, 264; concurs in contribution for Palatinate, 378; agrees to act as arbiter for Viscount Annand, 508; commission granted to him by Privy Council for punishing his own tenants, 557; agrees to stay proceedings against Francis Stewart, 585; present at funeral of James VI., 589.
Russell [John], a learned and experienced lawyer, retained by Margaret Hairtsyde, 50.
Rydar, William, 284.
Ryhill, William Crichton of, 132.

S.

SAINT ANDREWS, General Assembly held there, 302.

———, ARCHBISHOP OF [George Gladstones], conference with Privy Council, 134; wishes to submit his claims, 134, 135; struck with apoplexy, 194; [John Spottiswood], waits in Edinburgh for the Earl of Argyle, 232; causes orders against the Jesuits to be executed, 233; written to by Lord Binning, 254; absent from the convention for plantation of churches, 257; arrangement with Earl of Mar as to victual payable to Castle of Edinburgh, 269; dislikes the proceedings of Parliament, 276, 277; informed of Queen Anne's death, &c. by Lord Binning, 325; seconds Lord Chancellor's proposal for contribution to the Palatinate, 377; remarks, 381; proceeds to London to the King on the subject, 391; meets with the Earl of Melros, 394, 395; conference with the Marquis of Hamilton, 411; excellent sermon on the honour due to princes, 413, 414, 415; proposes that the amount of taxation for Palatinate should be regulated by ransoms of King David II. and James I., 421, 422; conference with Lord High Commissioner as to managing opposition, 425; advertisement from Lord Melros to him, 487; intercedes for William Rig, 575; present at funeral of James VI., 589.

———, Regality of, 24; Archbishop of obtains grant from James II., *ib.*; privileges of the Archbishoprick brought before the Session, 134.

——— Johnston [Perth], 287, 290.

——— Margaret's Hope, 330.

——— Nicolas, 516.

Salic Law, 379.

Sanctuary, the house of a Privy Councillor no, 30, 31.

Sanquhar, 299.

———, LORD, 433, 434; controversy between the base son of the deceased Lord and William Creichtoun, 127, 132, 133, 264, 265; created Viscount of Ayr, 483.

Schairp, John, 188, 189.

Scone, 308.

———, LORD, keeper of Huntingtour, 6; accused of fraud, 69, 70; prosecuted by Andro Henderson, 90; required to give bond in his favour for 500 merks per annum, 91; comes to Edinburgh, 121; commission to be granted in his favour for settling disorders in the Highlands, 122; agrees to subscribe a procuratory of resignation of certain lands in favour of John Murray, 127; acquires Temple-lands in Perthshire, 163; Dunavaig taken from him, 166; proposes that Lowmonds should be feued, 190; speeches against, 193, 195; business between him and John Murray stayed, &c., 198, 199; to leave Court, 252, 254; wishes Lord Tullibardine's warrant as Earl of Athol to be expedited, 254; intrusions with rents of Huntingtour, Scone, and Strabrane, 308; letter to him, 317; concurs in contribution for Palatinate, 378; disputes with Pitcairn of Pitlour, 383, 384; opinion on extent of taxation, 422; takes horse to inform the King of what had passed, 427.

Scot, Sir John, recommended to John Murray, 431.

———, Thomas, Lord Justice Clerk, his remorse when dying for his iniquities as a judge, 484.

Scotland, the King discontented with government of, 117; King proposes to revisit, 267, 270, 271; miserable state of, 273; free trade between England and, 309, 310, 337, 338, 342, 343; general poverty throughout, 361, 362.

- Scots, forbidden by proclamation to pass to England without lawful errand there, 358.
- Scott, James, appointed to take care of the Prince's affairs in Scotland, 531; dies, 532.
- , Sir John, present as a Privy Councillor at funeral of James VI., 590.
- , Symon, slays Walter Scott, son of Harden, 356.
- , Walter, son of Harden, slain by Symon Scott of Bonnytoun, 356.
- Seaton, see Seton.
- Selkirk, Goodman of Harden, made sheriff of, 429; cannot read or write, 430.
- Sample, Bryce, 178.
- Sergeants-at-Arms in England, usual number sixteen, 345.
- Session, Court of, King James VI. hears causes there, 301.
- Lords of, recommend Mr Peter Rollock of Piltoun to be appointed an extraordinary Lord, 76; propose alteration in time of sittings of the Court, 191, 192; letter to James VI., 278; request that the number of extraordinary Lords be not increased, 279, 280; communicate on Easter-day, 331; letter to the King remonstrating against the appointment of Lord Durie as counsel in the action at Lord Mar's instance against Lord Elphinston, 463, 464, 465.
- Seton, 290; visited by James VI., 299.
- , Alexander, apparent of Meldrum, slain, 326.
- , Sir Alexander, Master of Winton, and their servants, assault the Earl of Glencairn, 17, 18; required to abandon the title of Earl of Eglinton, 113; grounds of his claim to the Earldom, 114; letter to the Privy Council asserting his right, 115, 116, 117.
- , Sir William, 103; appears before Privy Council to support his nephew's claim to the Earldom of Eglinton, 113; dispute with the Earl of Nithsdale, 538; letter to the King, 539; a Commissioner of the Middle-shires, 555; present as Master of the Household at funeral of James VI., 590.
- Seytoun, see Seton.
- Shaw, James, debt to him as executor to his father for arrears as Master of Works, 95; report by Privy Council thereon, 95, 96.
- , William, Master of Works, 95.
- Sheriffs, scarcity of persons of rank and quality to fill offices of, 172; nomination of, 318, 320, 332, 333, 466, 530.
- Ships, country, dispute as to freights of, 327, 328, 346, 347, 348.
- Simsoun, a mad minister of Merton, 412; preaches a malicious sermon, for which he is apprehended and sent prisoner to Dumbarton Castle, *ib.*; petitions for release, 430.
- Sinclairs, the only family not engaged in the Rebellion in Orkney, 175.
- Sinclar, Castle, 143, 180, 183.
- Sir Lucas, a Dutch ship, 521.
- Skene, Alexander, recommended by the King to be received in office of hornings, 173; disputes between him and the register, 173, 174.
- , Sir James, differences between him, his father, and brother, 128; reprov'd by Privy Council for not communicating or going to the kirk of Edinburgh on Easter-day, 331; gives a satisfactory explanation of his conduct, 331, 332.
- , Sir John, Clerk of Register, investigates the antiquities of his country, 24; finds grants of second teinds, 25; deletes them from his Book of Antiquities, *ib.*; differences between him and his sons, 128; disputes between him and the Clerk Register, 173, 174.
- , Mr John, censured by Sir Thomas Hamilton, 105; disputes between him and his brother, *ib.*
- Skippers, disputes between and merchants, 327, 328, 346, 347, 348.
- Slait, 165, 215.
- Smail, John, 474.
- Spain, journey of Prince Charles to, 506, 507, 517.
- Spaniards, rumoured invasion of, 325; consultation of bishops relative to, *ib.*
- Spanish navy, apprehensions of, 169.
- , ship arrives at Burntisland, 159; cap-

- tain, pilot, and surgeon, incarcerated in the Tolbooth there, 160; documents relative to, to be laid by Patrick Hamilton before the King, 163.
- Spens, Sir James, his letter transmitted to the King, 558.
- , Richard, testimonial of his son's birth, 163.
- Spey, customs on water of claimed by the Earl of Murray, 101; considered by Privy Council, 136.
- Spyla Miln destroyed by the tenants of Lord Gray of Wark, 582, 583.
- SPYNE, LORD, present at funeral of King James VI., 589.
- Stenhous, Laird of, 149.
- Steuart, Sir James, 219.
- , Jean, marries Gilbert Kennedy, 205.
- , John, of Tracquir, pursued for Jean Steuart's tocher, 205.
- , John, son of the Earl of Bothwell, adjustment of his disputes with the Earl of Home before Privy Council, 370, 371, 372.
- , Ludovic, brother of the Lord Blantyre, proposes to put up beacons in the river Forth, 400.
- , Patrick, 537.
- , Sir Robert, tutor of Tracquir, 205.
- , Sir William, of Tracquir, cautioner for payment of Jean Steuart's tocher at request of the Queen, 205, 206.
- Stewart, Francis, son of the late Earl of Bothwell, 140, 550, 551; Earl of Roxburgh agrees to stay proceedings against him, 585.
- , Sir James, believed to have got Lord Blantyre's place in Session and Council, 162; warns the Earl of Orkney of suspicious proceedings of Robert Stewart, 188.
- , John, ship with provisions sails for Orkney, 163.
- Stewart, Robert, his mother shot through the hand, 147; offer of surrender upon conditions refused, 148; his pardon recommended by the Earl of Caithness, 150; and by the Bishop of Orkney, 151, 152; Privy Council authorise Earl of Caithness to spare his life till the King's pleasure be known, 155; the King unwilling to pardon him, 169; bond subscribed by rebels of Orkney to him, 175; captured, 176; confined in Castle Sinclair, 180; conference between him and the Earl of Caithness, 182, 183; conversation with Andro Martine, 184; to be brought to Edinburgh, 186; alleged communication with his father, 188.
- , Simeon, 181.
- , William, murders Douglas of Torthorwall, 51.
- , Sir William, 51.
- Stirling, 3, 214, 287; Privy Council repair to Castle of, 3; ministers dirked there, 273.
- Stirlingshire, 299.
- Stonehaven, 447.
- STORMONT, LORD, 462.
- Strabrane, 211, 308.
- Strathern, 525.
- Strathnauer, 409.
- Striveling, see Stirling.
- Strowan [Laird of], his wife, M'Rannald's daughter, 211.
- Struthers, Mr William, desired to warn his brethren not to make any mention of Prince Charles' journey to Spain, 507.
- Suborners (alleged) of witnesses, liberated on bail, 475.
- Suitors, proclamation against, 287.
- Sutherland, discontents between houses of Caithness, Strathnaver, and, 409.
- SWEDEN, KING OF, letter sent by him, 559.

T.

- TAGGART, Thomas, in Chappelknow, fugitated, 451.
- Tanners keep up the price of leather, 46; measures suggested for prevention, *ib.*; examined by Privy Council as to abuses in tanning, 352, 353.
- Tarbert, 229, 231, 248.
- Tarlich, Clan, 215.
- Taxation authorised by Parliament, 19; discussions as to, 271, 272, 273, 274, 275, 276; granted, 277; general, proposed for the service of the Palatinate, 381, 383; objected to by the King, 387, 389; address of the King on subject of, 417; proceedings relative to, in Parliament, 421, 422, 423.
- Teinds, second, contained in certain grants, 24; meaning of, 25; pursued for, *ib.*
- Temple-Lands, bought by Lord Binning from Lord Torphichen and Robert Williamson, 162, 163; those in Angus sold to Lord Balmerino's father, 163; Perth to Lord Scone, *ib.*; Roxburgh to Fernherst, *ib.*
- Tenants, general poverty of, 361, 362.
- TERCHONELL, LORD, 245.
- , Lady, aunt of Sir James MacDonald, 245.
- Tevidaill, sheriff of, 257, 295.
- Thyneis, 220, 221, 229, 230.
- Timber, letter of Privy Council relative to transportation of, 60, 61, 62; so scarce that the Scots are compelled to import it, 61.
- TITUS, EMPEROR, remark to Vespasian, 378, 379.
- Tixa, Isle of, 599, 600.
- Todrig, William, discussion before Privy Council, as to his right under his patent to cure red herrings, 350, 351.
- TORPHICHEN, LORD, claims exemption from taxation, 25; sells Temple-lands to Lord Binning, 162, 163.
- TORTHORAL, LORD, to be reconciled to Lord Ochiltree, 104; money to be paid by him for John Murray, 120.
- Torthorwall, James Douglas of, 7, 51. See also Douglas.
- Tracquir, 205.
- Trade, decay of, 130.
- Treasurer-Depute, said to have no vote in Convention and Parliament, as not being an Officer of State, 277.
- TREASURER, LORD, see Earl of Mar.
- Trees, great scarcity of, 61.
- Trotter, John, 368.
- Trouterne, meeting of forces there, 48.
- Tuedie, John, 356.
- TULLIBARDINE, EARL OF, instructions to, 213; proceedings by him against the Isla rebels, 217, 218, 219; informs Lord Binning of the Earl of Kinghorn's expected recovery, 252; to be made Earl of Athol, 254; concurs in contribution for Palatinate, 378; present at funeral of James VI., 589.
- Tunigham, 399.
- Tyndaill, disorders there, 586.
- Tyre, George, banished, 450.

U.

UCHILTREE, LORD, see Ochiltree.

Union, between the two kingdoms said to be violated by the new coinage, 340, 341; articles of declare that native commodities are to be duty-free in both kingdoms, 342, 343.

Urchill, Laird of, 200, 202.

Uschear, Edie, 580.

———, William, 580.

Usher, Office of King's claimed by Cockburn of Langton, 413; committed to Edinburgh Castle for so doing, *ib.*

V.

VAINE, Clan Neill, 215.

Valche, Monsieur, 334, 335.

Vanverrane, Captain, 498.

Vere, General, 421.

Victual, great importation of foreign, 561; occasions scarcity of money, 562.

Vintoun, see Winton.

Virginia, lewd persons from Middle-shires to be sent there, 311.

Viscounts' fees, 286.

——— patents, in course of expeding, 376.

Vitriol, privilege to make to be granted to a Fleming, 89.

W.

WAIRDING, Margaret Armstrong, fugitated, called the, 451.

WALDEN, LORD, disputes between his tenants and the Laird of Wedderburn and Blackader, relative to fishing opposite to Fishewick, 583.

Walkinshaw, Patrick, sells titularity of teinds of Monkland and Calder to the Lord Boyd, although he had previously given a right to Sir James Cleland, 569; attempts to excuse his fraud, 570.

Wamphra-House, belawed, 455.

Wardlaw, Sir Henry, certificate in favour of, 364.

WARK, LORD GRAY OF, his tenants destroy Spyla Miln, 582, 583.

Warrick, Thomas, in Pottum, convicted of stealing two nolt, 452; execution respited, *ib.*

Watson, Mr William, accused of instigating riot in Burntisland, 208; examined, 208, 209; proposed to be suspended, 210.

Wedderburn, Laird of, 403; disputes with Lord Walden's tenants as to fishings opposite Fishewick, 583.

- Welsche, Mr John, 10; convicted, 12; his testimony rejected, 13, 14.
- Westerhall, Laird of, with Lord Johnston, 473.
- Weyland, 143, 147.
- Weymes, Sir James, debt to him by Earl of Gowry, 308.
- Whytfoord, Walter, 483.
- Whytlaw, Patrick, 252.
- Widrington, Sir Henry, since his death no one to preserve order in Tyndail and Riddisdail, 586.
- WIGTON, EARL OF, concurs in the contribution for Palatinate, 378; present at funeral of James VI., 589.
- , merchants robbed and left for dead going to, 273.
- Wilkie, William, vessels freighted with white victual by him and William Dick captured by Dunkirkers, 562; representation to the King by Privy Council on the subject, 562, 563.
- Williamson, Robert, sells Temple-lands to Lord Binning, 162, 163.
- Wilson, Mathew, ordered to lead teinds of Castlemilk, 543.
- Winchester, Dean of, 411, 425, 427.
- Winrahame, Robert, 181.
- WINTON, EARL OF, 290; James VI. visits him at Seton, 299; attends the Lord Chancellor on his death-bed, 462; produces the Great Seal and Caschet before Privy Council, 477, 478; Master Thomas Nicholson of great use to him, 494; wishes the decreet-arbitral of the Earl of Melros relative to bailliary of Cuninghame to be recorded, 525.
- , MASTER OF, and his servants, assault the Earl of Glencairn, 17, 18.
- Wood, Captain, 232, 241, 247, 248; letter to Lord Binning, 246.
- Wool, discussions as to exportation of, 485, 486, 490, 491, 492, 493, 500, 501, 505.
- Wyest [Uist], North, 215.
- Wyne, plenty of old in Scotland, 295; scarcity of in France, ib.
- Wyntoun, see Winton.
- Wysbie, 452.

Y.

- YESTER, LORD, 290.
- Yetland, see Zetland.
- Yla, see Islay.
- Young, John, sent as Commissioner from Leith, 234; particulars relative to Borders to be delivered by him to the Earl of Annandale, 560.
- Young, Robert, 579, 580, 581.
- , Thomas, brought before Privy Council for cutting wood at Presmennan, 528.
- Yslis-syde, 580.

Z.

- ZELAND, Admiral of, 458.
- Zetland, Lord Gordon wishes a tack of, 365; referred to Privy Council, 365, 366; Robert Monteith asks a tack of King's rents, 439, 440; report by Privy Council as to raising rent of, 553.
- Zirta, an isle belonging to Sir Rorie M'Leod, 215.

ADDITIONAL INDEX
TO
THE MELROS PAPERS.

ADDITIONAL INDEX.*

A.

ABERDEEN, Earl of Huntly compears in, 618.
———, BISHOP OF, 617; preaches before Assembly, 627.
Adam, Mr, 611.
Advocate, Lord (Sir William Oliphant), 630, 639, 641.
ANGUS, EARL OF, instructions given by James VI. as to his relaxation from sentence of ex-communication, 615.

Appellation of John Knox, 611.
Arbroath, 628.
ARGYLE, EARL OF, denounced as a traitor, 625; note of proceedings against him transmitted to the King, 631.
Assembly, articles set down by, 613; arrangement for approaching General, 621, 622; proceedings of, 623, 624, 626 to 630.

B.

BENHOLM, Laird of, feud with Laird of Geicht, 617.
Berwick, 613.
BINNING, LORD, informs the King of the Marquis of Huntley's absolution, 619; praises conduct of Earl of Montrose and Archbishop of Saint Andrews, 620; as to preparation for approaching Assembly, 621, 622, 623; letter to King as to Earl of Argyle's forfeiture, 625; meeting of Commissioners of Burrows, *ib.*; and attendance of Privy Council at sermon, 626; details proceedings of General Assembly

to the King, 626, 627, 628, 629, 630; as to treaty with those of Low Country in regard to the fishings, 631; as to observance of Easter-day, 632, 633, 634; as to sermons to be preached at Christmas, 634; and behaviour of Magistrates of Edinburgh on Christmas-day, 638.
Black, Mr David, 612.
Blackburne, Mr Peter, 617.
Boquhen, Laird of, 617.
BRECHIN, BISHOP OF, confers with the Marquis of Huntley, 619.

* This Index refers to the additional leaves marked with an asterisk, thus *.

Borroughs, meeting of Commissioners of, as to importation of merchandise in country bottoms, 625.

Brownists, odious opinions of, 646.

Bruce, Doctor, assists Archbishop of Glasgow in refuting Mr William Scot, 628.

——, Mr Robert, his Westland Voyage, 612.
Bucklugh, Lord, 632.

C.

CAB, Sir Andrew, 630.

Carmichael, Mr John, opposes kneeling at the communion with vehemency and wilfulness, 628; prevented by Lord Binning from enlarging his discourse on ancient controversy betwixt Eastern and Western Church, as to Christmas-day, 629.

CARNEY, LORD, 630.

Christmas-day, sermons to be preached on, 634; anxiety to have it properly kept, 635; Magistrates attend divine worship on, 636.

Clerk, Alexander, Provost of Edinburgh, examined, 644.

Clunnie, Laird of, 617, 619.

College Church, good order kept in on Easter-day, 633; many refuse to kneel on the following Easter-day there, 636.

Communion, objections to receive it kneeling, 628; received kneeling on Easter-day, by all the congregation excepting one base fellow, 633; few kneel on succeeding Easter-day, 637.

Cunningham, David, Bishop of Aberdeen, 617.

D.

DICKSON, John, impugns the doctrine of Dr Forbes publicly in church, 640; professes his penitence for so doing, *ib.*; examined, and admits his objecting to Dr Forbes' discourse, 642, 643.

Douglas, James, 632.

Drum, Laird of, 617.

DUMFERMLINE, EARL OF (Lord Chancellor), written to by the Earl of Montrose, 623; requires Privy Councillors to accompany him to church on Easter-day, 632; present at examination of Rig, 641.

DUNBLANE, BISHOP OF, 641.

Dundee, 620.

E.

EASTER-DAY, Privy Councillors and Lords of Session assemble at Lord Chancellor's lodgings to accompany his Lordship to church, 633; Mr Patrick Galloway preaches on, 633, 638.

Easter-Eve, Mr John Guthrie preaches on, 637;

Mr Andro Ramsay preaches on the following, 638.

Edinburgh, kirk of, 611; Magistrates of attend worship on Easter-day, 633; many of the inhabitants and women of absent, *ib.*; Magistrates of attend Lord Chancellor to ser-

ADDITIONAL INDEX.

657

mon on Christmas-day, 636 ; Magistrates of, examined upon the charges against William Rig and others, 639, 640, 641 ; and declare that Rig was very penitent for his fault, 645.
EGLISCHAMIS, LORD, returns from Berwick, 613.

ERROL, EARL OF, instructions given by the King as to his being absolved from sentence of excommunication, 615 ; feuds betwixt him and Laird of Ludquharne, 617.

F.

FENTOUN, VISCOUNT, 631.
Fishings, commission for treating with Low Countries, as to, 634.
FLEMING, LORD, 632.
Forbes, Mr John, 617.
———, LORD, 617.

Forbes, Dr William, preaches on Good Friday, 638 ; serves communion on his knees, 639 ; doctrine impugned by John Dickson, 640 ; witnesses examined as to what passed on that occasion, 642, 643, 644.
Frindrach, Young, feud with Laird of Drum, 617.

G.

GALLOWAY, BISHOP OF, sick, 626 ; makes a pertinent sermon, 629.
———, Patrick preaches on Easter-day, 633, 637 ; promises that the ministers shall obey the acts, 635 ; praised by Lord Binning, 636.
Geicht, Laird of, 617.

Gibson, Mr Alexander, 632.
GLASGOW, ARCHBISHOP OF, 624 ; refutes Mr William Scot of Couper, 628.
Good Friday, Mr Andrew Ramsay and Dr Forbes preach on, 637.
Guthrie, Mr John, preaches on Easter-eve, 637.

H.

HAMILTON, MARQUIS OF, appointed Commissioner to treat with those of the Low Countries, as to the question of the fishings, 631.
———, Thomas, Lord Advocate, letter to the Lord Secretary, 611 ; receives copy of

instructions to Commissioners for absolving the Earls of Angus, Errol, and Huntley, 613 ; transmits copy to Lord Secretary, *ib.*
Hammiltoun, John, apothecary, supports John Dickson in impugning the doctrine of Dr Forbes, 640 ; examined as to his conduct, 643.

Hay, Mr George, 617.

Holyrood-Chapel, Privy Council required to hear sermon there, 626.

Howie, Mr Robert, 617.

HUNTLEY, COUNTESS OF, professes popery, 616; ordered to be instructed in the true religion, *ib.*

———, EARL OF, form of bond to be executed by him, sent to Lord Secretary Lindsay,

613; instructions granted to Patrick Murray for reconciling the Earl to the church, 615, 616; a council of godly barons to be appointed to him, 616; feuds with Lord Forbes, 617; report of ministers appointed to entreat with, 617, 618, 619; compares at Aberdeen, 618; professes sorrow for murder of Earl of Murray, *ib.*

HUNTLEY, MARQUIS OF, absolved, 619, 620.

I.

Isles, affairs of, 636.

Isles, BISHOP OF, Thomas Knox, son of, 636.

J.

JAMES VI., 611; handles Maister Robert Wallace very sharply, 612; instructions by him to Patrick Murray, for absolving the Papist Peers, 615; informed by Lord Binning that the Marquis of Huntly has been absolved, 619; and of the good conduct of Earl of Montrose, and modest and wise conduct of Archbishop of St Andrews, 620; preparations for approaching General Assembly detailed to him, 621, 622, 623; informed of proceedings at Assembly, 623, 624, 626 to 630; proceedings on Easter-day communicated to him, 632, 633,

634; opinion required as to sermons on Christmas-day, 634, 635; informed of behaviour of Edinburgh Magistrates on that day, 636; Mr Thomas Knox to inform him of state of the Isles, *ib.*; Earl of Melros writes to him, as to the behaviour of the people on Easter-day, 637, 638, 639; Privy Council inform him of behaviour of Rig and others, 639, 640, 641; examination relative to Rig transmitted to him, 641, 642, 643, 644; Privy Council write to him as to proceedings against Rig, 645, 646, 647.

K.

KILSYTH, Laird of, 630.

Kirk, Little, in Edinburgh, meeting there, 642.

Kneeling during communion objected to, 628, 633, 637.

Knox, John, his appellation, 611.

———, Thomas, son to the Bishop of the Isles, 636.

Korsindae, Laird of, 617.

L.

LINDSAY, Doctor, 628, 629.

———, John, Secretary of State, letter from Lord Advocate to him, 611; copy of bond to be subscribed by the Earl of Huntly sent him, 613.

LOUTHIAN, EARL OF, 630, 632.

Ludquharne, Laird of, feud with the Earl of Errol, 617.

M.

MAR, EARL OF, 623, 632, 641.

Mauld, William, 613.

Maxwell, Mr John, assists at communion on Easter-day, 637.

MELROS, EARL OF, letter to the King, as to order observed during Easter-day, 637; present at examination of Bailie Rig, 641.

Meyne, John, urges ministers to serve the tables contrary to the received orders of the church, 640; examined, 643; rebukes Mr Andro Ramsay for laughing, *ib.*

MONTROSE, EARL OF, conduct praised by Lord Binning, 620; wishes to be excused from being Commissioner, 623.

MURRAY, EARL OF, Earl of Huntly expresses contrition for murder of, 618.

———, Patrick, 612, 613; appointed King's Principal Commissioner, for absolving the Popish Earls, 614; instructions given to him, 615.

N.

NOTTINGHAM, King's letter from, 620.

O.

OLIPHANT, Sir William, Lord Advocate, 630, 639, 641.

Orkney, wrongs done there, 631.

P.

PHILP, Dr, of Arbroath, 628, 629.

Pitlurg, Laird of, 619.

Pittenweem, warrant to be granted for the books of the session of, 611.

PRIVY COUNCIL, members of, required to hear sermon in Holyrood Chapel on Sundays, 626; attend at Lord Chancellor's lodgings, to accompany him to church on Easter-day, 633; letter to King as to proceedings of

Bailie William Rig and others, 639, 640, 641; intimate his penitence to the King, 645, 646.

Puritans, chosen Commissioners to Assembly, 626.

R.

RAMSAY, Mr Andrew, makes sermon of preparation on Easter-day, 633; preaches on Good Friday, 637; makes sermon of preparation, 638; rebuked by John Meyne for laughing, 643.

Reat, David, Principal of the College, 617.

Report by Ministers appointed to entreat with the Earl of Huntly, 617, 618, 619.

Rig, Bailie William, urges ministers to cele-

brate communion against received orders of the church, 640; a wealthy man, *ib.*; examination before Privy Council as to, 641, 642, 643, 644; penitent for his conduct, 645; petitions Privy Council, 646; declares he detests all opinions of popular power over ministers, *ib.*; confined to his own house, *ib.*

Rollock, Hercules, pens the King's articles, 614.

S.

SAINT ANDREWS, warrant to be granted for the books of the presbyteries and session of, 611; Clerk of the Register wishes sight of the old commission, anent the visitation and reformation of, 612.

————, ARCHBISHOP OF, praised by Lord Binning, 620; going to Fife for preparation of General Assembly, 622; written to as to Earl of Montrose's excuse, 623; endeavours to persuade members of Assembly to assent to the King's measures, 624; private meeting between him and Commissioners, 626; exhortation to Assembly, 627; insists that Assembly should either agree to the

King's articles or refuse them, 629, 630; appoints meeting with the Bishops, 631; declines preaching in Edinburgh on Christmas-day, 634; writes to the King, *ib.*; present at examination of Bailie Rig and others, 641, 642, 643, 644.

SANQUHAR, LORD, 630.

SCONE, LORD, 630.

Scott, Mr William, of Couper, objects to kneeling at the communion, 628.

Session, Lords of, wait on Lord Chancellor at his lodging, to accompany him to church on Easter-day, 633.

Simsoun, William, refuses to serve tables at

- communion, 640; a poor man, *ib.*; examined, 642.
- Skene, Sir John, Lord Clerk Register, wishes sight of the old commission, relative to the visitation of Saint Andrews, 612.
- Stewart, William, feud with the Laird of Boquhen, 617.
- Strawquhan, Mr John, 617.
- Struthers, Mr William, minister at College Church, 633; conduct praised by Lord Binning, 636; preaches on Easter-day, 637; performs duties faithfully, 639; answers John Dickson, 642.
- Sydserf, Mr Thomas, minister at College Church, 633.
- Symsoun, see Simsoun, 640.

T.

TREASURER, Lord High (Earl of Mar), 641.

V.

VCHILTRIE, LORD, 630.

W.

- WALLACE, Maister Robert, sharply handled by James VI., 612; excuses himself, and declares his oversight arose out of his westland voyage with Robert Bruce, *ib.*
- Winchester, Dean of, 630, 634.
- WINTON, EARL OF, 631.

Z.

ZETLAND, wrongs done there, 631.













